

Amalgamation-1930

## CONVICTION UPHeld FOR MISCEGENATION

11-12-30  
Perry County Convict Loses  
Fight To Have His Sen-  
tence Set Aside

Tom Ham, who obtained his release on a habeas corpus writ, while serving a sentence at the Atmore state prison farm, will have to go back and resume the service of that penalty, under a decision rendered yesterday by the Alabama Court of Appeals. Rulings of the high court in the case are of unusual interest.

Ham was indicted jointly with Matt Smithson, by the Grand Jury of Perry County, for the offense of miscegenation. On his demand for a severance, he was tried separately, convicted, and sentenced to imprisonment for from two years to two years and a day.

While serving this sentence at Atmore, Ham filed in the Escambia Circuit Court, a petition for habeas corpus alleging, in effect, that the judgment of conviction and sentence in his case were rendered void because of the lesser and different punishment of his co-indictee Matt Smithson, on her later plea of guilty under the joint indictment to another and less serious offense.

Order was issued by the Circuit Court granting Ham the writ of habeas corpus petitioned for, discharging him from custody at the state farm. The state thereupon appealed.

Reversing this judgment, setting it aside and holding it for naught, the Court of Appeals, yesterday, ordered Ham's petition be denied and that he be remanded to the custody of G. K. Fountain, warden of the Alabama State Farm at Atmore.

In opinion of the high court in the case, written by Judge James Rice, quotation is made from the opinion of the same court in the Tanner case disposed of some time ago, in which it was stated: "It is only when the court pronounces a judgment which is not authorized by law under any circumstances in the particular case made by the pleadings, whether the trial has proceeded regularly or otherwise, that such judgment can be said to be void, so as to justify the discharge of the defendant held in custody by it."

Manifestly, obviously, and admittedly, Judge Rice says in his opinion, the judgment of conviction and sentence attacked in the Ham case, were not those "not authorized by law under any circumstances in the particular case." In the case under consideration, it is ruled, Ham is not entitled to his discharge, and the opinion then refers to a decision by the Supreme Court of Washington, approved by the Supreme Court of this state where in connection with a habeas corpus proceeding that tribunal said: "We can only look at the record to see whether a judgment exists, and have no power to say whether it is right or wrong. It is

conclusively presumed to be right until it is regularly brought up for revision."

Insofar as the habeas corpus proceeding of Ham is concerned, it is held by the Court of Appeals, he is shown to be rightfully held in custody, and the opinion adds: "If there was error in his judgment of conviction, or his sentence, which would have worked a reversal on appeal, 'a point not necessary to be here decided, and one which we refrain from considering, the same is without avail in this proceeding.'"

Alabama.



Amalgamation-1930

California

## Beauty, Mate Patch Differences

## WHITE WOMAN MAKES THREATS.

*News. 3-8-30 Louisville Ky.*  
Tells White Men Through Arthur Brisbane, If yhey Can

With Black Women "We Can Beat You Doing  
What You're Trying To Do."

Last week's News carried an editorial from the Baltimore Afro-American in which shocking and startling revelations were made anent our White Brothers' inclination to forget their prejudices and color lines where our women are concerned. It further stated that such notables as George Washington, Thomas Jefferson and Andrew Johnson, all Presidents had Colored lady friends, and more than that, had children. Of course every Colored man who has two good eyes—and many a blind one—knows that attractive Colored women are immune from race prejudice and that all this jim crow stuff is only meant for the Colored men and the women who have no appeal. It has long been a saying that the only slaves are black men and white women. So as a follow up to that article of last week, "White Men Seem to Like Black Women," we publish this outburst from a white woman.

To our White Brothers: We hope these few lines will find you well:

In a letter to Mr. Arthur Brisbane, Miss Ruth S. Keen of Los Angeles, takes him to task.  
Arthur Brisbane, The Examiner, Los Angeles.

Dear Sir—I beg leave to comment upon a paragraph anent the recent race riots which appeared in your column of Brisbanealities in the paper for people who think they think. May I quote:

"White men in a white man's country will not permit Asiatics to take either their jobs or their women."

I have always been amused, Mr. Brisbane, at the adroit facility with which you skim in graceful verbosity over the thin ice of politics, sociology and all affairs of the universe, becoming passionate only upon the subject of California real estate.

Now I discover that I must really take you seriously for this paragraph convince me that your mental processes are as shallow as an occasional perusal of your column would lead one to suppose.

Perhaps you do not know, Mr. Brisbane, that the jobs now held by Filipinos in the North are jobs that white men refused because of living conditions, and that white men have acted like dogs in a manger by refusing these jobs and then objecting to Filipinos taking them.

As for your statement in regard to women, you force me to accept the conclusion of many thinkers that women are also a part of your vicious economic system.

We would suppose that white lords of creation, being such chivalrous guardians of their own women, would have the same desire to protect women of other races. But this alleged protection does not go so far. I have before me a sworn statement from the island of Samoa (under your protection

SO—Mr. Brisbane, I have the honor to inform you that, if white girls admire and prefer men of other races, neither bluster, bragging nor bombs will stop them from doing so, for they not only trust their own convictions in such matters but have the courage to carry them out.

RUTH SKEEN.

I thank you.



Helen Lee Worthing, once chosen as one of the world's most beautiful women, snapped with her "colored" husband, Dr. Eugene C. Nelson, at Los Angeles after a reconciliation which followed a separation of five days. The two were married in Tijuana early in 1927.

## Filipino-American Wedding Blocked

LOS ANGELES, Feb. 25.—(AP)—white persons with Mongolians or negroes is prohibited. Judge Smith today in issuing the writ said: "There are only three main races of people. These are the white, yellow and black. I hold that a Filipino is of the yellow or Mongolian race."

den island, by violence or cajolery, seduce Samoan girls to yield to their lust, then abandon them, often with child, and against this treatment they have no redress. Doubtless this same thing happens in the other islands controlled for their good by dear old Uncle Sam.

And I do not forget, Mr. Brisbane, the bitter and cruel wrong white men have done to colored women when they were helpless and needed protection. If you think that decent white women do not resent these wrongs against defenseless women of other races, you are sadly mistaken. We are all sisters under the skin.

Many white men are bullies and braggarts, but there is one group over which they have no power—their white women. From the beginning of time, at first stealthily and subtly, but now quite openly and shamelessly, white women have always had what they wanted (you see, we share our lords' rapaciousness) and they have always given themselves to men whom they admired and preferred quite regardless of class, creed, race or previous condition of servitude.



# Beauty, Mate Patch Differences

1/27/30



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## Filipino-American

### Wedding Blocked

Helen Lee Worthing, once chosen as one of the world's most beautiful women, snapped with her "colored" husband, Dr. Eugene C. Nelson, at Los Angeles after a reconciliation which followed a separation of five days. The two were married in Tijuana early in 1927.

Filipino, and Ruby Robinson, 22, an American. The girl's mother had protested the marriage on ground that Moreno was of the Mongolian race.

Under the California laws union of white persons with Mongolians is prohibited. Judge Smith Superior Court at Los Angeles, in issuing the writ said: "There are issued a writ of prohibition against only three main races of people. The County Clerk L. E. Smith said: 'Dr. Nelson is white, yellow and black. bidden the marriage hold that a Filipino is of the yellow license to Tony V. Moreno, 24, a Mongolian race.'"



## Married to Dutch Artist

*Afro-American*  
*8-30-30*  
*Baltimore*  
*md*



MISS ANITA B. THOMPSON

daughter of Mr. and Mrs. Samuel Thompson, formerly of Baltimore, now of Los Angeles, California, and a former art supervisor in Baltimore schools, was married recently to M. Kristicus, Dutch artist. Word received here by friends from the bride declares the couple are honeymooning in Venice, from whence they are scheduled to go on a yachting trip with the groom's family.

"Americans are as thick as flies in Venice," the former Miss Thompson writes. "White Americans advised my husband not to marry me because of my color. He could afford to smile, because he has known and loved the people of Java all his life."

Sumner Thompson, a brother, graduated recently from the University of California.



# SALVATION ARMY COUPLE PARTED JOINED K.K.K. BY KU KLUX KLAN IN CANADA WED SATURDAY

TORONTO.—The local Salvation Army joined with the Ku Klux Klan in its abduction of Isabella Jones, white, on the eve of her wedding to Ira Johnson, a Negro, at Oakville near here.

At the trial last week two of the raiding party were fined, one was fined \$78 and a fourth has fled.

## Lawyer Flays Klan

E. R. Cross, attorney, addressing the Labor Forum of Whites March 16, condemned the Klan and the Salvation Army, and thrashed the Christian Church for its preachers. He said:

## Race Just Environment

The Nordics allocate to themselves superiority and call a Jew a 'sheeny,' a Frenchman a 'frog,' an Italian a 'dago,' a Chinaman a 'chink,' and of course, a Negro a 'nigger.'

Race is just a question of environment, said Mr. Cross. The Negro when he came to temperate zones became lighter in color. The white man going to the tropics became dark.

Ptolemy and Herodotus, 'the father of history,' had said that Negroes compose the ancient civilization of Egypt. Mr. Cross stated, in refutation of any conception that the Negro was simply an alien race. 'Nature has not permitted all mankind to become civilized at the same time.'

On the question of inter-marriage, which Mr. Cross said 'had so pestered the Ku Klux Klan,' it was well known that a great percentage of the American people had Negroid blood. 'In the United States,' Mr. Cross asserted, '60 to 75 per cent of the Negroes have white blood.'

'The white people go everywhere, and have gone everywhere,' he went on, 'and have of their own free will fused their blood with the races that compose the world.'

## Appeals to Labor

He appealed to the 'ideology' of Labor to overcome racial prejudices, and declared that the Nordic idea of superiority was simply engendered by their fear and 'inferiority complex.' The church, he said, could not be looked to for a solution of the question, as Christian ideals did not include the Negro, who was looked upon by the vast majority as some intermediate state 'between man and beast.'

## Says Religion Curse

Answering the question at the conclusion: 'Do you believe in religion?' he declared that 'man could not be really civilized until he had downed the curse of religion.'

## Canadian Groom Finally Wins Consent of Bride's Mother

## BLAME PASTOR

## Colored Minister Refused to Tie Knot

OAKVILLE, Canada.—Isobel Jones, white, abducted by the Ku Klux Klan here recently to prevent her marriage to Ira Johnson, was married at midnight Saturday night in a nearby town.

The girl's mother Saturday morning admitted that the couple had visited several local clergymen Friday in an effort to have the marriage fulfilled.

Johnson admitted that he also went to the Rev. W. C. Perry, only colored clergyman here, who refused to perform the ceremony.

The mother said that she believed the refusal was prompted by threats issued by the Klan at the time of abduction.

## Couple Appear in Public

Mr. and Mrs. Johnson, seen Sunday on emerging from a meeting of the Salvation Army, presented a happy picture indeed, as they walked arm in arm in the direction of home. It was their first public appearance together since the eventful night and occasioned not a few surprised glances from bystanders who had thought the couple to have been permanently parted.

Johnson, six feet tall, however, refused to commit himself on the marriage.

'There has been too much publicity given this thing already,' he emphasized loudly. 'I want no more of it. Can't a person be let alone sometime?'

## Got Mother's Consent

Latest reports reveal that the couple were never really parted at any time since the incident, nor had they ever entertained for the slightest time the idea of giving each other up.

Not until Thursday last, however, had Johnson regained consent of the girl's mother, according to the latter, and only then when he apologized for previous occurrences, due to which she had thought it necessary to have the Klan intervene.

## Breach of Morality

On instruction it was said from Mrs. Jones, mother of the girl, inspired by rumors alleging breaches of morality between the two, upwards of one hundred Klansmen drove into town, separated the couple and returned them to their respective parents.

It was said at the time that Johnson had been made by Klan members to promise that he would never visit the girl again. As a sequel to the affair, three ringleaders in the raid appeared in police court when a fine of \$50 was imposed on one member, convicted of appearing at night under disguise.



# NEARLY 3,000 ANNUALLY ARE CROSSING THE COLOR LINE IN THE DISTRICT OF COLUMBIA

**Economic and Social Reasons Are the Basis of the Crossing to the Other Side In this Segregated City—  
The Nation's Capital**

By WALLIE REEVES

It is estimated that nearly 3,000 Negroes are crossing the line annually in the Capital City.

"Passing" as the term is usually applied, has been going on in this city for many years. Since the World War the popularity of the craze has increased as the years passed. The main reasons for going over the line are twofold—economic and social.

Those who "pass" for an economic reason receive better wages than those received by the better class of Negroes who do professional work. The economic "passer" is in a position to feel out the white man's idea and conception toward the Negro from a business and financial aspect. There is also the convenience of being able to go anywhere without the "jim-crow" psychosis.

Some of the "passers" are in Government services, others work in downtown offices as clerks, while others are employed as waitresses and other positions. The men as a rule do not go in so much for the "ofay" change. In many instances the "passer" after a few years becomes acclimatized and remains on the other side of the line.

## The Social Passer

The social "passer" is more or less a curiosity seeker. There is the F street theatres, night clubs and hotels which they frequent. Many of them go down town nightly and come back the next day and exploit their experiences to the persons of darker hue who are unable to break into ofay houses because of segregation. Some of them are said to have been and recognized at such places as the Wardman Park Hotel, the Mayflower, Carlton, and at such night clubs as the LeParadise, Venus, Chanticleer and the Swanee.

To the average ofay, the light

complexioned Negro is a coming bug-bear. He cannot distinguish between the two. The accent of the Negro who crosses may in some instances differentiate him from the Nordic. However, being in a typical southern atmosphere, the accent of the high bred Negro is about the same as that of the ofay.

The average fair skinned Washingtonian rarely thinks of passing. He is too well satisfied with his present surroundings, while on the other hand a few of the "high-brows" go in for the "racket." The new advertising craze for light-skinned girls and men in many of the local white papers under the classified columns has encouraged a big percentage of the Negroes of this city to go in for passing. In New York it is said that about 10,000 pass annually.



Amalgamation - 1930

## Half-Caste Menace in England

**T**O STOP THE INTERMARRIAGE of white women with men of other races "something must be done," urges the Liverpool Association for the Welfare of Half-Caste Children.

And the British press finds similar trouble at other harbor ports, increasing the menace.

For example, at Cardiff, a mixed colored population of 1,300 is made up of West Africans, Somalis, Arabs, and Indians; Manchester has 200 colored; South Shields has an Arab problem, and London a Chinese problem.

But Liverpool's 400 Anglo-negroid families and 1,350 colored children, whose mothers are white, and fathers chiefly West African seamen, raise chief discussion and demand for a comprehensive Government Inquiry.

Investigators find that "mentally the Anglo-Chinese child is said to be equal if not superior to the white." School authorities state that the Negro half-caste child "shows early brightness, but retrogrades later—probably rating slightly inferior to the whites. As the Manchester Guardian observes:

"There are, however, other factors which make him inferior. His home life is deplorable, for since a Negro seaman's earnings are not sufficient to keep his family above the poverty-line, it often happens that while he is away on a voyage his wife is forced to become a prostitute. And it is virtually impossible for a half-caste to find employment.

"So the girls of the family take to the streets and the boys to petty vice or mere idleness."

Most of the West African seamen come from Liberia, Nigeria, and the Gold Coast on ships in the trade, with passports and money to spend on arrival; they sing, dance, and dress well, and so attract impressionable young white women, say correspondents of the London Times and other British papers. These wives, however, having once mixed with colored men, hopelessly unable to break away on account of community ostracism, with their half-caste children, burden charity and government relief.

Besides government inquiry, the press call for special social workers at the ports, and favor at least forcing colored seamen to "sign on" in Africa, so that they shall not have money to spend until they get back home.

## HERALD GULFPORT, MISS

### Results of Lack of Race Pride

Speaking of the half-caste problem in England's harbors—1300 at Cardiff; Manchester, 200; Liverpool, 400 Anglo-negroid families and 1350 colored children—the Manchester Guardian says, regarding the assertion of school authorities that a Negro half-caste child shows early brightness, but retrogrades later—probably rating slightly inferior to the whites. The Guardian says: "There are, however, other factors which make him inferior. His home life is deplorable, for since a Negro seaman's earnings are not sufficient to keep his family above the poverty-line, it often happens that while he is away on a voyage his wife is forced to become a prostitute. And it is virtually impossible for a half-caste to find employment. So the girls of the family take to the streets and the boys to petty vice or mere idleness."

That is the situation there, with not so many Negro families as in one southern town in the United States, and in a country which is said to have no race prejudice.

But the Literary Digest will further surprise its Northern readers by this:

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Think of the "grave problems" confronting the British, as we are above informed, and then of the more effective—in some quarters called harsh and "racially-prejudicial"—handling of the problem that Mississippi has had in "getting along" with and yet apart from nearly a million Negroes!

In no place or time have a people managed so serious and delicate a question as Southern people have this, with less cruelty and blood-letting. We see what becomes of it where racial integrity is not so jealously regarded and whose violation is not so rigidly and immediately resented.

Will our own blood in the North see it as it was, is, and ever must be, unless we lose racial pride and turn traitors to our birthright.

Europe



Amalgamation-1930

BROOKLYN EAGLE

FEB 8 - 1930

Curtis to Name

Mixed Marriage

Senate Probers

Copeland and Heflin Row

Over Phil Edwards

Brings on Heated Debate

Washington, Feb. 8 (AP)—Selection of a committee to determine whether Senator Heflin, Democrat, Alabama, violated the Senate rules by placing in the record a letter on the intermarriage of whites and Negroes fell to the lot today of Vice President Curtis.

Appointment of the committee was decided upon late yesterday, after Senator Copeland, Democrat, New York, demanded the letter be expunged from the Congressional Record as "offensive to the people of my State."

Objecting, Heflin repeated the words of the letter, deplored intermarriage for the white and black races, condemned the Catholic Church for permitting members of the two races to attend the same institution, and complained against what he called "the Roman-Tammany regime of New York State and City." He concluded with a demand that the letter be read.

Copeland's objections were overruled by a viva voce vote and the letter was read. It was addressed to Sam H. Reading of Philadelphia, in response to a letter calling attention to the recent marriage of Phil Edwards, Negro captain of the New York University track team, to a white girl.

In the end, Senator Harrison, Democrat, Mississippi, suggested the appointment of a committee to determine whether insertion of the letter violated the Senate rules. All agreed, and Vice President Curtis left the appointment over until today to give Heflin and Copeland an opportunity to confer upon its membership.

During the course of the debate, Senator Walsh, Democrat, Massachusetts, abjected to Heflin's attack upon the churches, and said that all Northern institutions received whites and Negroes upon a basis of equality.

## WHITES STOPPED RACE INDIAN MIXTURES

Black and Red Men Fraternized for Over a Century in Peace.

RECALLS SEMINOLE WAR

Black and Red Fought Side

PHILADELPHIA. — (CNS.)—Lawrence Foster, a graduate of Lincoln

University, who is seeking a degree of philosophy, has chosen as his subject "The origin and development of Negro-Indian relationship, as they pertain to the Negroes of Oklahoma and neighboring states."

The admixture of the Negro slave and the American Indian, beginning early in the nineteenth century, has given rise to a curious situation in Oklahoma.

There, one man may be legally "Indian" and enjoy the full legal status of unrestricted citizenry, while his blood brother, with the same mother and father, may be legally Negro.

Even more than this, the latter may be forced to endure utter exclusion from at least thirteen towns, according to Mr. Foster, who has revealed the anomaly after three months of field investigation in Oklahoma to climax a period of two years of literary research in the library of the University of Pennsylvania.

Beginning about 1812, he says, the white people in the Carolinas held Negro slaves, while the Spaniards in possession of Florida had none. Because of oppression and persecution the slaves sought to escape to Florida, and great numbers of them crossed the line and were free. Some, however, had been bought by the Indians and so still were slaves.

Once among the Everglades of Florida, the Negroes found the Seminole Indians, a name that means "run-aways." Perhaps because of their own misfortunes, which had forced them to flee to the swamps for safety, these Seminoles took the escaped slaves to their bosoms and made friends and equals of them, says Foster.

A perfect friendship grew up and the Negroes and Indians communed together and lived in blissful ignorance of internal strife. They intermarried and produced a mixed racial strain, with no distinction between those of pure extraction and those of hybrid characteristics.

This state of harmony was no

destined to last for long, however, for when the United States purchased Florida the legal owners of the escaped slaves in the Carolinas sought and gained permission from the Government to force their slaves to return. Armed expeditions were sent out, and the Seminole Wars followed.

But so intimate had the Indians and Negroes become, according to Foster, that instead of standing back and watching their guests dragged again into slavery, the Indians protected the Negroes and gave their lives for their freedom. The two groups fought side by side, for the cause of one had become the natural cause of the other.

"Contrary to general belief," says Foster, "it would appear that in the Seminole wars the Negroes were just as brave as the Indians, if not braver, and were judged by officers of the United States Army to be the real backbone of the opposition."

If this is so, it advances a hitherto little mentioned cause for the Seminole wars and depicts the Seminole Indian in a far more favorable light than that in which he appears as a renegade and a constant source of trouble, becoming such a nuisance that armed forces were dispatched to silence him.

Regardless of their cause, however, the Seminole wars lasted nearly a decade, and at their conclusion the Indians were "induced" to go West. The "inducement" was virtually irresistible force, according to Foster, who places the movement at about 1830. Oklahoma was then still an Indian territory, and it was there that the tribes moved.

About the same time similar incidents were happening in other states, and the result was that Choctaws and Chickasaws arrived from Mississippi, Cherokees, and Creeks and Seminoles from Georgia, Florida, and Alabama. The word "Oklahoma," in the Choctaw dialect, it is said, means "Home of the Red Man."

For nearly a century after this migration, the Indians and Negroes still lived in perfect harmony and equality, according to Foster. They rode and hunted together, continued to intermarry and found no blemish on the face of the earth to mar their happiness.

But with the start of the twentieth century the white man began to exert his influence. He tried to inculcate in the Indians the same prejudice he himself felt toward the Negro, says Foster, and finally found a way to enforce his desires when Oklahoma acquired statehood in 1907. Legislation becoming effective at that time, it is said, granted full privileges to the Indian, but denied as many as possible to the Negro.

As Foster quotes it, the law said that any male with "one single drop of Negro blood in his veins" should be legally a Negro. Many of the crossed strains, however, succeeded in covering up the Negro blood, while others did not. Thus arises the situation of Negro and Indian as full brothers.

There are still social relations between them, as formerly, says Foster, but the Indians are getting farther and farther away from the Negro, as the white man bends them to his

General

way of thinking.

His study, Foster claims, is important anthropologically, because it shows the effect of racial attitudes on culture in general. The two dark-skinned races drifted together naturally, he says, and then were rent asunder by the white man's law, which ruined fraternalism and inculcated prejudice.

## Bootleg Marriages

Gloomy Dr. Kelly Miller, of Howard University, last week, painted a sad picture of what will happen if Congress shall pass a nation-wide marriage bill.

A measure similar to the one proposed by Senator Capper (Rep., Kan.) passed the House some years ago and failed in the Senate. One provision of it forbade black-white marriages. The United States ten years ago passed the prohibition law, which instead of banishing liquor, has made it a profitable business for bootleggers, rum runners, and a smart vogue for young people.

Congress can pass a law tomorrow declaring that only white folks shall eat beef. Thousands of Negroes and white folks would immediately purchase beef to eat it and determine what virtues it possesses in such degree as to make Congress surround it with special legislation.

The average Negro and the average white person marry within their races. Laws in twenty-nine states have not stopped interbreeding in these states nor prevented mixed couples from marrying in other states. In Brazil, where there is no color line, black-white marriages are comparatively few. Emphasis there is placed on worth, progress, education, efficiency, patriotism—never on color.

No one interested in making and keeping marriage a serious but natural and permanent union founded on affection ought to be willing to place it in a position where it can be bootlegged or become a smart vogue for rich excitement-seeking young people.

There is enough lawlessness in the nation at present without an anti-intermarriage law which will be sure to add to it.

Even Senator Blease (Dem., S.C.) with all his racial antipathies cannot shoulder that responsibility.

SUN

LEWISTOWN, ME.

APR 3 1930

SAYS INTERMARRIAGE

WILL END COLOR LINE

A story by the Canadian Press says:

The only solution of the race problem of the United States is "the losing of the distinctiveness of the Negro by blending with other racial elements, in the process of time," Dr. E. G. Conklin, Professor of Biology, Princeton University, told members of the Canadian Club today.

"We are suffering in the United States," he said, "from a shortsighted policy of yielding to the demand for cheap labor. This demand brought the African Negro slave.

In later years it brought other distinct racial types.

"We have a most unenviable record in criminality, with twenty-seven times the murder rate of Great Britain, but if you look over the criminal records you will find that the names are uniformly non-Anglo-Saxon," he said.

Professor Conklin said the processes of racial assimilation were going on all over the world. In Australia the mulattoes outnumbered the natives; South America had become the great hybrid population group of the world; and even in the United States, "with all its race prejudice," there were a quarter as many mulattoes as full-blooded Negroes.

"It has never happened," he said, "that two races, no matter how distinct, have inhabited the same territory for a thousand years without losing their distinctiveness and blending their traits."

Racial blending, he pointed out, was a long process. In its intermediate stages it produced many things which could not be considered to the advantage of humanity. The offspring of mulatto unions was extraordinarily variable, either highly desirable or highly undesirable.

In the biological government of the lower animals, the laws of good breeding demanded the rigid elimination of the undesirable, but, he said, "we never hope to be able to apply these rules of good breeding to the human species."

RICHMOND, VA.

NEWS-LEADER

FEB 11 1930

REFER THE RACIAL BILLS.

Study of the pending "Indian" and "racial integrity" bills seems to have convinced many members of the general assembly that the whole question involved in this proposed legislation should be referred to a commission for further investigation.

Indians who are such in blood as in name should certainly be protected in their rights. They are a feeble folk, to whom little is left except their racial pride and their traditions. At the same time, there is manifest danger that unless the dominant racial strain of those claiming to be Indians is established scientifically, the number of pretended Indians in Virginia will quadruple overnight, and all who desire to escape racial classification as Negroes will suddenly appear as red men. A well-chosen commission, if given sufficient time and a small appropriation, can establish the major racial lines with fair accuracy, and can save Virginia both from doing injustice and from being imposed upon.

A commission can also investigate the validity of the claim that a dangerously-vague standard is set up by the bill which would classify as "colored" all those who have any "ascertainable" degree of Negro blood. The objection here is to the word "ascertainable." Scientists are asking



whether it be Negro blood "ascertainable" by Virginia's woefully-incomplete early birth-records, or whether it be Negro blood "ascertainable" by laboratory tests. A most eminent surgeon has pointed out that if, by mischance, a person were to accept a blood-transfusion from one who had an "ascertainable" trace of Negro blood, the person who received the mixed blood would be classified as "colored" if a laboratory test were made. And that, of course, is not the intention of anyone.

Little will be lost if the entire subject be referred to a committee that will include trained scientists and genealogists and none of the partisans on either side of this perennial controversy.

## VIRGINIAN-PILOT NORFOLK, VA.

FEB 17 1930

### Fiat Mendelianism

As was to have been expected, the Legislature's 1930 tussle with "racial integrity" has ended in a victory for the doctrine of the "ascertainable trace." Under this doctrine it is held that a person with any trace of Negro blood, however microscopic, is a "colored" person—that is, a non-white person and therefore forbidden to contract marriage with a white person or to attend a white school. Such controversy as the bill aroused concerned not the plight of the Essex County school children whose racial status it has over night reversed, but its incidental effect on the Mattaponi and Pamunkey Indians who found champions in their resistance to a law which would have classified many of them as Negroes although their negroid admixture is so slight that it has not prevented them from establishing a legal status, under the old laws, as Indian tribesmen. An amendment introduced in the bill allows these their status as long as they remain on their reservations. When they leave their reservations they lose this protection and are classified as "colored." Every application of fiat Mendelianism brings its new wonders.

The central purpose of this bill is as sound as the thesis that intermixture between the Caucasian and Negro races works out to social tragedy. That doctrine is too strongly entrenched in the modern world to permit of successful attack. Nevertheless, one would be totally lacking in a sense of human tragedy if one could remain unmoved by the plight of the person who is white to the point of being indistinguishable from his Caucasian neighbors but is yet infused with that microscopic African strain which severs him from the Caucasian world but does not suffice to give him a sense of at-one-ness with the Negro world. What is to be the future of this being? At peace with neither race, what is to be his American des-

tiny? The law that has just been passed makes no answer to this perplexing question. It was proposed that the question raised by this element in our population be referred to a group of biologists, ethnologists and medical authorities. If there is a scientific approach to this question this was the direction in which to seek it. But we have not yet arrived at the point where we are willing, in these matters, to trust the verdict of science. That may come later. For the present, these questions are settled by a vote of the majority—by inventing a Mendelian determinant based on racial fear. It is a settlement that involves for a limited group of our population a genuinely tragic predicament and one for which, to speak honestly, they have to thank, first, the Caucasian greed that founded the American slave trade, and, second, the Caucasian lust that bleached a subject race and its progeny.

### PERIL OF NORDIC BLONDS

(From The Federation News, official organ of the Chicago Federation of Labor, white)

Pep, prosperity and purity—and the greatest of these is purity. It has ever been so in Alabama. Let start any great movement for uplifting the proletariat, for purging the halls of state, for sterilizing the social order for disinfecting the body politic and Alabama's first in the bandwagon. It was that way in the crusade for the white ballot box, pure food and drugs, for the pure primary, for the sanctity of the home, for pure milk, for the single standard, for pure womanhood, for pure cosmetics, for pure reading matter, for 100 per cent Americanism. With no little pride Alabamians hold high the white gonfalon of the W. C. T. U. Nowhere is the good life and higher things more greatly esteemed than in that state. Its natives have been heard to loudly boast that their liquor is absolutely pure.

No surprise is occasioned when one notes that the eloquent voice raised in defense of racial purity come from the able senator from Alabama Heflin. The occasion for his grief was the announced marriage of Phillip Edwards, colored captain of New York University's track team, and a white maiden. Sounding the alarm Senator Heflin thundered:

"Shame on those in authority who permits such humiliating disgraceful and dangerous things to happen in the United States! Where are the white men of self-respect, of race pride and a love of a white man's country in America, whose brave forebears long ago decreed that there should be no pollution of the blood of the white race by permitting marriage between whites and negroes?"

The senator is reported as very much chagrined by the fact that already has this pollution resulted in 3,000,000 mulattoes in the United States. His pure blood fairly boils as he surveys southern Europe over which the Saracens ran now teeming with millions of mixed blood. He looked toward Egypt, Persia and Arabia only to find the same deplorable mixing. In South Africa haughty English and stolid Boers mated defiantly with natives. In our own South America one finds the color bar conspicuously absent, Negroes, Indians

and Spaniards living together indiscriminately.

It seems, however, according to a Baltimore paper, that the senator is confused as to the position of some of our prominent "forebears" one the fundamental of racial purity, for it asks Heflin:

"Did George Washington fly in the face of God when he had a colored sweetheart, Mary Gibbons?"

"Did Thomas Jefferson go to hell because he had a colored child and was followed by Andrew Johnson, who had three of them?"

"Was Alexander Hamilton any less 'the greatest secretary of the treasury' because he was, as John Adams put it, 'the bastard son of a Scotch peddler and a West Indian woman?'"

To an inarticulate but confirmed trembler for the future it looks like the race mixers have a long jump on Heflin and the aseptic crusade. Of course, he may succeed in putting a stop to the wretched business because addicts to purity movements have a wonderful way of not being cast down when the current is against them. The best hope is that somehow, somehow, sometime they will find a way for the pure and undefiled Nordic to inherit the earth.

### OUR MULATTO-MINDED NATION

THE accurate and estimable New York Times states editorially:

"Modern sun-worshippers are ready to go through fire and water to achieve the glory of a tanned skin. They take to the ocean in droves and then sizzle on sandy beaches, patiently waiting for old Sol to turn their complexions to the desired bronze or deep mahogany."

There is something curiously amusing about the spectacle of the most color-conscious white people in the world today trying to appear as near like those whom they publicly claim to despise as possible. It is getting so the person with a real pale skin is actually looked down upon. Eagerly America seeks to get from our God-given sunshine the beautiful brown that Nature has imparted to the mulatto. Not only is this true of the whites, but it has for a longer time been true of the blacks. Both ends are fighting vigorously toward the mulatto middle, at least in pigmentation. Those whites who cannot afford to go to the seashore are laboriously tinting their skins to the shade of Ethel Waters.

Nor is the urge confined to Americans; it seems to have spread to the far corners of the globe. A news item from Moscow stated recently:

"Sun worshippers are also legion. In Moscow they take sun baths on balconies, in yards or on roofs, while along the Moscow River the absence of an ethical code as to costume permits of the fullest benefit from ultra-violet rays. Those fortunate enough to spend their vacations in the Crimea or on the Black Sea return the blackest of all, to the great envy of their friends."

What is the world coming to? If this sort of thing keeps up even the bulk of American Negroes will be convinced that their coloring is beautiful. However, we might suggest that if the Caucasians of the United States and elsewhere are so eager to get brown, there is a much more simple and permanent way open to them.



BOSTON, MASS.  
POST

APR 6 1930

# Harvard Scientists Study Neyer-Investigated Inter-Racial Marriage Question

Prof. Ernest Hooton, Anthropologist, Assisted by Mrs. Caroline Bond Day, Who Finds Those With Mixed Blood Often Achieve High Success



A Typical family of quadroons, one-fourth Negro and three-fourths white. Four distinguished Harvard men of mixed Negro descent.

Two eminent Negroes of unmixed descent.

Carter Goodwin Woodson, A.B. (Chicago) '07, A.M. (Chicago) '08, Ph.D. (Harvard) '12. Now director of the Association for the Study of Negro Life and History.

Alain Le Roy Locke, professor of philosophy at Howard University. A.B. '08, Ph.D. '18, Rhodes Scholar '07-'10, Litt. D. (Oxford) '11.

Charles Harris Wiley, A.B. (Fisk) '11, A.M. (Yale) '13, Ph.D. (Harvard) '25, and now professor of history at Howard University.

W. E. DuBois, A.B. '00, A.M. '01, Ph.D. '05, and now editor of The Crisis.

Charles Denton Young, a graduate of West Point, 1889, and later colonel in the United States army. Now deceased.

Matthew Washington Bullock, A.B. (Dartmouth) '04, LL.B. (Harvard) '07, and now a member of the Massachusetts Board of Parole.

BY JOHN T. BRADY

Two Harvard anthropologists have been devoting a lot of attention during the last few years to an investigation of the results of Negro-white marriages in the United States, and they have just exploded many strange theories about them.

Dr. Ernest A. Hooton, associate professor of anthropology at the University directed the investigation, but the major role in it was played by Mrs. Caroline Bond Day, who is about half Negro herself and is a graduate of Radcliffe. In fact she did all of the very difficult field work.

And one of the most remarkable results of her research is the discovery that Negroes of mixed blood are capable of high intellectual achievement. For example, of the 1191 adults of the post-bellum group studied, which was made up of individuals born since 1860, more than one-quarter are college graduates, another quarter normal school graduates, a third quarter high school graduates, and none are illiterate.

Forty persons attended colleges with Phi Bet Kappa chapters and five have the key. Five of the college graduates hold the degree of doctor of philosophy and one gained a Guggenheim Fellowship. Moreover, Mrs. Day firmly believes that "Negroes of unmixed blood are just as capable of achievement along all lines as those who are mixed."

There is an old wives' tale to the effect that whenever either of two married persons has even the least bit of Negro blood, they are sure to have a black baby crop up among their offspring.

Most everybody has heard it in one form or another, and no doubt you've heard people insist that they actually know of cases where a man and a woman, one white and one supposedly of Negroid extraction, but showing no physical characteristics indicating a strain of Negro blood, have had a black baby.

You may have scoffed at stories of this kind, or accepted them as gospel fact, but in any event, you probably have never given a second thought to the question of whether or not there may be any reliable evidence available to prove the truth or falsity of them.

However, Dr. Hooton and Mrs. Day assure you that a careful scientific investigation of hundreds of cases where there has been a comingling of Negro and white blood, even on both sides, has failed to reveal a single instance of a pure type Negro baby appearing among even the great-grandchildren resulting from the union, unless there was another introduction of Negro blood during the intermediate generation.

## No Reversion to Type

In fact, Dr. Hooton states that it is quite amazing to see how quickly Negro characteristics disappear in the third and fourth generations following a union between a pure Negro and a pure white person, regardless of the sex of each.

"The first generation of children from such a union are mulattoes," he explains. "And if they marry white persons their children will be quadroons, which are generally indistinguishable from whites."

In the third generation there may be one child that is a little more Negroid than white in appearance, he admits, but there will be no black babies. "In other words, there is no reversion to type under such circumstances," he declares.

This he considers one of the most interesting and important of the new conclusions he has reached, with the able assistance of Mrs. Day, in his study of the nature of inheritance in Negro-white crosses.

## Began 10 Years Ago

Dr. Hooton has long been especially interested in the problem of the inheritance of definite racial characteristics, and when he decided, more than 10 years ago, that an inquiry into the results of Negro-white mixtures in the United States was imperative, and might be very helpful to him, he recognized that the two most important questions confronting him were these:

"To what extent had such crossings modified the physical, mental and economic status of the population, rated as 'Negro'? And were people of mixed origin destined to march with our colored compatriots side by side, distinguished only in physical features, or were they being absorbed, gradually and imperceptibly, into the 'white' majority?"

## Reason for Ignorance

Practically nothing was known at that time about the anthropological results of race mixtures between Negroes and whites, and the sociological results of such crossings was shrouded in equal darkness.

"Moreover," he said, "it was obvious to me that one of the chief reasons for the prevalent ignorance concerning the biological and economic status of the Negro-white section of our population was the extreme reticence, sensitiveness and self-respecting pride of the more educated members of that class."

"Naturally, these colored Americans would suspect the motives of a white investigator and would be not only reluctant, but entirely unwilling to submit themselves and their family history to his scrutiny. For these people have been the victims of a terrible social injustice, and they have grown to expect only the worst."

So Dr. Hooton realized that access to this class for sociological and anthropological study could be gained only by an investigator who, himself, by virtue of Negro blood, could command that confidence in his motives without which no information of value could be obtained.

## An Ideal Investigator

But where was he to find such a colored investigator with the necessary personality, tact, scientific talent, and, above all, the unquestioned honesty and impartiality to guarantee the validity of his findings?

Well, she turned up at the psychological moment in one of his anthropology courses at Radcliffe—an intelligent and attractive young woman with about half of Negro and Indian blood in her veins.

Caroline Bond was her name then, and when Dr. Hooton became acquainted with her history, her abilities, her admirable strength and uprightness of character, he was satisfied that she was the ideal investigator that he had been seeking.

Her mother had been a school teacher in Negro schools in the South and was a woman of culture and refinement. Before coming to Radcliffe, Miss Bond had graduated from Atlanta University, one of the best colleges for colored students in the country, and she was personally acquainted with most of the educated and prominent persons of Negro descent in the East and in the South.



So it happened that Caroline Bond, now Mrs. Day, began to collect data pertaining to mulatto families, under Dr. Hooton's direction, while she was still a senior at Radcliffe.

### What Study Involved

She began with her own family and the families of her friends, being particularly careful to determine with as possible accuracy the exact proportions of white, Negro, and Indian blood of each individual, going back to the primary crossings between ancestral pairs. This enabled her to reconstruct family genealogies, going back four or five generations to the earliest cross. In many cases she collected photographs of individuals representing four generations, and these, with accompanying physical measurements, hair samples, and certain sociological and medical data, were affixed to the genealogical charts.

The sociological and medical data which she collected concerned the number and sex of the children born to each Negro-white family studied, the ages and causes of death, if deceased, the occupations and educational achievements of each person, their recreations and outside interests. Furthermore, she gleaned much valuable information about economic status, incomes, housing conditions, including character of dwelling, whether rented or owned, value of home, number of rooms, baths, character and value of furnishings, etc.

By the time she graduated from Radcliffe she had gathered quite complete information on more than a score of families. Then she went into Y. W. C. A. work, later taught in a Texas college, got married, and ultimately became an instructor in Atlanta University.

Meanwhile Dr. Hooton mourned the loss of her assistance and cherished the hope of finding the necessary financial means whereby Mrs. Day could be enabled to make a really extensive and definite study of this interesting and important problem. They were finally secured in 1927 and Mrs. Day enthusiastically continued the work.

### Studied 350 Families

Since that time Mrs. Day has secured comprehensive and accurate data relating to more than 350 families and 233 individuals, including persons of various types and classes, so that they might represent a real cross-section of life among colored people of mixed blood in this country.

Almost 90 per cent of the families studied lived in the southeastern States, mostly Georgia, Alabama and Texas, and they included a goodly number living in rural communities. Only four Massachusetts families were included in the investigation, and although Mrs. Day knew seven persons of Negro descent in Washington, holding the degree of Doctor of Philosophy, she solicited records from only two of them.

In blood the subjects range from one-eighth white to seven-eighths and more, and as a general rule it was found that there is a decrease of skin pigmentation, hair curl and heaviness of features as the proportion of white blood increases.

### Mulattoes of Three Types

Analysis of the data on mulattoes, or individuals half Negro and half white, showed that as a general rule they may be divided into three types, "dominants," who look decidedly European,

"recessives," who lean toward the Negro ancestral line, and "intermediates," under who are half way between.

"Dominants" are occasionally light enough in complexion to be mistaken for Europeans, according to Dr. Hooton, and they usually have brown hair with deep waves, and medium features distinguished by no appreciable Negro thickness of lips or excessive breadth of nose. The skin color of the "recessive" type of mulatto, however, is light brown or tan, and he usually has dark eyes, with features of varying degree of fineness or heaviness, and dark hair that varies in form and texture. A golden-yellowish skin-color, frizzly hair and not infrequently gray-brown or greenish-brown eyes were found to be the distinguishing characteristic of the "intermediate" type.

### Occasional Blondes

Referring to the dominants of the next group, in which there is five-eighths white blood and three-eighths negro blood, Dr. Hooton explained that occasional blondes were found among them, and there also are found many persons who are the phenotypes of other races and nationalities, such as Americans, Indians, Italians, Japanese, Syrians and Greeks.

"Generally we find lip thickness decreasing as the proportion of negro blood becomes smaller," continued Dr. Hooton, "and certain features of the tip of the nose or the nostrils seem to persist the longest. Sometimes we get in all grades of intermixtures a combination of three or four kinds of hair—fine, coarse, straight and curly."

### Of Scientific Interest

"But the thing that interests me most of all, from a purely scientific viewpoint, is that we get somebody with dark skin but straight European features and straight hair, and somebody else with a very light skin but heavy features and curly hair. This seems to me to be very remarkable, as it indicates a breaking down of the linkage of characteristics."

"Why the 'dominant to European' type should be much more frequent than the 'recessive to Negro' is another thing of especial interest of the biologists and anthropologists that has been revealed by this line of research. And in this connection Dr. Hooton points out that the 'dominant to European types' show no obvious Negro features when the proportion of Negro blood involved is three-eighths or less."

"Swarthy skins, frizzly hair and heavy features are conspicuously lacking among quadroons," he declares, "and many or most of them can easily pass as whites even before the experienced eye of the anthropological observer. Only rarely do you find one of them with distinctively Negro characteristics."

### Octoroons Are White

From her study of octoroons (seven-eighths white, one-eighth Negro) Mrs. Day is convinced that they show no traces of Negro mixture, and she points out that when pedigrees of reputed true octoroons showing Negro characters have been carefully checked, they usually show some parent or grandparent carrying a higher proportion of Negro blood than was supposed. She took great pains to verify this fact.

Incidentally, she states that her investigation to date has revealed 35 individuals who have lost their identity of Negro admixture, and of these,

16 are quadroons (three-quarters white, one-quarter Negro); 15 are five-eighths white, and four are mulattoes (one-half white).



Mrs. Caroline Bond Day, who for several years has played a major part in an intensive study of her race under the direction of the department of anthropology at Harvard.



May Howard Jackson of Washington D. C., a noted sculptress with approximately one-third Negro blood.

## Race Mixtures

*Amsterdam News*

10-5-30 New York, N.Y.

THE SPECTRE of miscegenation is America's most persistent nightmare. Laws are passed against it, sermons are preached about it, and now and then a novel is written to show its devastating effects. Millions of white Americans would be glad if a law were passed requiring the immediate electrocution of all the mulattoes, quadroons and octoroons in this country. Not that such a law would avail, even if enforced, for the same white Americans would proceed to make more mixtures. But they persist in the silly idea that a race mixture is inferior to the parent stocks.

DR. SHAPIRO of the American Museum of Natural History has made a study that will strike dismay into the hearts of the Nordics. In the Norfolk Islands, in the South Seas, he found a community of a thousand people, the descendants of British sailors who mutinied in the year 1790 and were left behind on an island. They married native women and had numerous children. Their descendants, Dr. Shapiro found, are better physically than either of the parent stocks, and they are at least their equals mentally. What a hot reception Dr. Shapiro would meet with if he tried to teach anthropology in a Southern college!



# :-: Rambling Ruminations

BY J. A. ROGERS

BERLIN.

**M**ARRIAGE or other forms of race-mixing of Negroes and Jews with Germans will be prohibited if a bill introduced into the Reichstag recently becomes law.

The sponsors of the bill are the Nationalist-Socialist party, headed by Dr. Hitler, and the Nationalist party, headed by Dr. Hugenberg. The bill, Article 4, reads:

"Whoever undertakes to hurt the natural fecundity of the German people by artificial methods; or by picture or printed page; or who contributes in the least degree to the breaking up of the German race by a mixture of Jew, Negro, or other people of color, will be imprisoned for the crime of harming the race."

The bill, it is believed, is aimed chiefly at the Jews, as the number of Negroes and other colored people in Germany is small. Berlin has between 200 and 300 Negroes, nearly all from her former colonies, while Hamburg has a floating population of several hundreds, nearly all sailors. Negroes are rare sights in other parts of Germany.

There is no color line in Germany, and the majority of Negroes are musicians or movie actors. The colored women in Germany are nearly all of them born there of black fathers and German mothers.

During the last war several Negroes served in the German army and navy in the ranks with the whites. The ex-Kaiser had several Negro favorites, one of them being Sabac-el-Cher, who was bandmaster of his favorite regiment, while an American Negro, Karl Wilson, was bandmaster of the First Grenadier Regiment at Königsberg.

It is hardly believed that the bill will become law with its anti-Jewish and anti-color clause.

La Depeche Coloniale, Paris daily, speaking of the bill says:

"The German people, as everyone knows, consider themselves as God's own people. In their eyes, men of color are not human beings and as such merit no consideration. They have never been able to understand why our black sharpshooters should be treated as men. The cruelties of a Peters or a Jeske von Prittkamer

in Southeast Africa, or the Cam-possible to doubt that."

ercons, without speaking of the Apart from the fact that the East methodical extermination of the Indians are of distant Negro an-Herreros, have forever fixed the cestry, and that there are also some opinion of the world on the attitude 60,000,000 people in India who are of the Germans towards black closer to the Negro than a large people. number of Americans, Gharidi will be of special interest to Negroes.

"Before the war a Negro was not permitted in the German ranks... It was his treatment as a colored Besides, the noise that the German man while practising law in South press has made about the so-called Africa that first stirred him to agitation against England. 'Black Shame' is well-known. Indeed, one also knows only too well the keen curiosity of the German women in everything that concerns Negroes, and we recall very clearly what we, personally, saw of the suggestive scenes between these German women and Negroes in Berlin, Leipzig, Hamburg, and other cities.

"Recently, even black boys seem to be enjoying special favor in certain high Prussian quarters, as one may see by reading the advertisements. Here, for instance, is one that was just published:

"Handsome young Negro wanted as page in a chateau des Masures belonging to a count. Good salary. But whilst these handsome young Negroes are being sought to serve in the homes of German countesses, the German Parliament is occupying itself with a law that is truly monstrous—a project that emanates from the National-Socialists of Hitler and the Nationalists of Hugenberg.

"This idea of race superiority still thrives in Germany, and it was indeed a fortunate day for the black race when the Treaty of Versailles took its members out of the clutches of these dangerous beings. It is to be hoped that the Reichstag will give Hitler's bill the welcome that it deserves."

downfall of England, says Helsey, and adds: "India is necessary to England, whose life and world politics have been built up during the last two centuries on the possession of the vast Indian empire.

"England has a market in India, the loss of which nothing could compensate her. Deprived of India, England will practically cease to exist. She will be shorn of her prestige, of her secret force, of even of her means of subsistence as Samson when shorn of his locks.

"Can you imagine a world from which England has disappeared? It is almost impossible. Once this main pillar is knocked from under, the whole European edifice will come crashing down. It is hardly



# --:-- **The Marriage Bar** --:--

By **KELLY MILLER**

*Amsterdam News*  
**SENATOR CAPPER** of Kansas has introduced in the Senate a bill providing for national regulation of marriage and divorce. On broad grounds the mere statement of the need for a law carries conviction of its necessity. The breaking down of the family fabric and the undermining of the moral fiber threaten early social decay.

The greatest issue before mankind today is not the question of race adjustment nor the production and distribution of wealth, momentous as these issues are, but the adjustment between the sexes on the basis of modern economic, industrial, intellectual and social demands. The whole scientific, political, religious and social world has been reconstructed in modern times; but we have made no progress in marital relations since the days of Isaac and Rebecca.

A regime which may have been perfectly adjusted to an agricultural life of early times breaks down miserably in face of an urbanized mechanical civilization. That failure is manifested by the fact that one-sixth of our marriages ultimate in divorce, which indicates at least twice as many more cases of tolerated infelicity. Perhaps the greatest minds in the world today are giving attention to this issue as to no other. From the standpoint of government, it is absurd to have forty-eight different States, each grappling with the problem in its own jurisdiction. Effective marriage regulations in this country

can be effected only through Federal supervision and control.

It is the irony of the Negro's lot that the formulas which apply to the general life fail to suit his nar-



— Kelly Miller —

ticular case. The Negro is undoubtedly the greatest victim of inadequate marriage and divorce laws and stands most in need of national unification. And yet he must look with fear and trembling upon any and every attempt to fasten such laws upon our Federal statute books. The reason is painfully simple. In the present temper of the American mind, any such legisla-

tion will in all human probability involve a nationalizing anti-miscegenation provision.

The same Senator Capper, who is our good friend and who intends us no harm, introduced a proposed eugenic law several years ago which had hidden between the lines the forbiddance of marriage between white and colored persons. When this hidden provision was called to his attention, he explained that he had introduced the bill by request and was not aware that it contained the item complained of. Senator Blease of South Carolina keeps such a measure constantly on the calendar of the Senate. If any measure prohibiting racial intermarriage ever comes to a vote in either house of Congress, it would probably pass by an overwhelming majority. Twenty-nine States already forbid racial intermarriage. Senators and representatives from these States would in all likelihood vote in harmony with the regulations of their own States.

Sentiment on this question is well-nigh unanimous in the other States which have not enacted the sentiment into law. On one occasion the House of Representatives passed such a measure without debate, and by an almost unanimous vote. We were able to defeat it in the Senate, not by direct attack, but by the gumshoe method. We were advised by our friends on the inside that, if the issue ever came to a vote, no power on earth could stop its passage. The same senti-

ment prevails in Congress now as then, perhaps somewhat intensified.

Why should the Negro be so deeply concerned in the national marriage bar? There is neither eagerness nor expectation of intermarriage or amalgamation. Existing State laws and a drastic public opinion will serve to prevent any considerable number of cases. Social sensibilities are intensifying on both sides of the line.

Illegitimacy, either within the race or across the race line, is a rapidly diminishing quantity. There always will be occasional individuals whose personal mutual attractions will defy public opinion and even the law; but these will represent rare instances without any social importance. But the Negro must protest with all of the power within him against setting up a caste system of which he is the victim by national law. All castes in the world are based upon occupational levels and the marriage bar.

The weaker sex of the weaker race is always made the victim of the juxtaposition of two races. This marriage bar would place colored women in a hopelessly helpless position. The Negro resents the reputation that he is overeager to marry into the white race. Every time a Negro marries a white person, a white person marries a Negro, with open mind and prompting heart.

A marriage bar setting up a caste system between American citizens would make democratic institutions ridiculous. The Negro protest is waged in behalf of racial self-respect and of democracy.

## **FEDERAL REGULATION OF MARRIAGE AND DIVORCE**

Senator Arthur Capper, of Kansas, has proposed an amendment to the Constitution which would provide for Federal regulation of marriages and divorces. Under the proposed amendment, Congress would have the power to make uniform laws on those subjects for all the States. It reads as follows:

"The Congress shall have the power to make laws, which shall be uniform throughout the United States, on marriage and divorce, the legitimation of children and the care and custody of children affected by annulment of marriage or by divorce."

Senator Capper is engaged in an effort to promote sentiment in favor of the measure, and only a few nights ago broadcast an appeal to the Negro for support of the proposed legislation. In this radio address he called attention to the wide variance in State marriage and divorce laws, and said, among other things:

The movement of families across the State lines with their property and their civil rights is as much a matter of national concern and legislation as the transportation of goods in interstate commerce.

Financial bankruptcy of an individual is not more important—not even as important—from the viewpoint of the public welfare, as the bankruptcy of the home and family as an American institution.

Self preservation, from a national viewpoint, justifies the extension of the law-making power of the National Legislature to include marriage and divorce.

Our incongruous marriage and divorce laws are paving the road towards socialism much faster than any set of radicals can set the United States on that highway to ultimate destruction and ruin.

Here is another attempt by what The Chattanooga Times calls "advocates of centralized government and uniformity of conduct on the part of the people of the several States" to add an amendment to the Constitution which would force people in every section to conform to a set standard.

This is a dangerous proposal, and if it ever should be incorporated in the Constitution it would inevitably have very serious consequences. We do not believe that sufficient sentiment in favor of the proposed amendment to bring about its adoption can be aroused. But lest too many people be persuaded to favor it, after giving it only superficial consideration, it is well to point out the evil consequences it would have.

The Chattanooga paper has done so in an excellent editorial. Says The Times:



As is usual in the case of proposals for extension of the police powers of the Federal government, the suggested amendment has been given a moral significance and arguments in its favor are extremely plausible. Also they are, no doubt, appealing to those people who are always ready for anything that is intended to make their neighbors live as they live.

That there should be in this country forty-nine different sets of laws respecting marriage and divorce and many more laws respecting the children of divorced couples is particularly disturbing to those who cannot bear to think of the people of other States regulating their private affairs to suit themselves. And such people are horrified by the fact that under the diversity of marriage and divorce laws, "a man and woman may be lawfully married in one State and in another adjoining State the man will be a bigamist, the woman an adultress and their children illegitimate."

Then there is the one great community argument, stated as follows by The Atlanta Constitution: "Earlier in our history there may have been seemingly good reasons for leaving the regulation of marriage and divorce to the will of each State, but the growth of the nation, the rapidity of population movements and the comities which should subsist between the States make a new philosophy and system of legal regulations evidently necessary."

More nearly uniform marriage and divorce laws would undoubtedly be desirable. But the fact that this thing is desirable is no valid reason for undertaking to achieve it through amendment of the Federal Constitution and legislation by Congress. Along that route lies possibilities which the people of this country would do well to forestall. And of all sections, the South, faced with the problem of preserving its institutions and the integrity of races, should be the last to favor placing marriage, divorce and the control of children of separated couples under control of the government at Washington.

The "moral significance" and the air of plausibility which the Capper proposal might seem to have may very easily mislead many who are not disposed to think of the dangers of excessive centralization of government, and the dangers of Federal regulation of marriage and divorce in particular.

It is true enough that greater uniformity in marriage and divorce laws would be desirable. But this could best be effected by the States themselves. If the States themselves can cooperate to set up more uniform laws governing marriage and divorce, well and good. But it should be left entirely to the States, and every State should be free to say what its laws on marriage and divorce shall be.

As The Times says, the South, faced with the problem of preserving its institutions and the integrity of races, should be the last to favor Federal regulation in this field. Federal legislation on this score would almost certainly include measures which the South could not accept.

Aside from the problem of preserving our institutions and the integrity of races in the South, there are such cases to be considered as that of South Carolina. In South Carolina there are no divorce laws at all. No divorces can be granted in that State. Evidently the people in South Carolina are not in favor of divorce laws, or else they would have them. What if the Federal government should be given the power to make uniform laws respecting marriage and divorce? Then South Carolina would be forced to have divorce laws whether it wants them or not.

There are enough States in the South to prevent Senator Capper's proposal from being incorporated in the Constitution, no matter if every other section of the country should become overwhelmingly in favor of it—which is extremely unlikely, for States in other sections like to manage their own affairs as well as the States of the South.

But in the unlikely event that a strong sentiment for Capper's proposed amendment should develop in the other States, the Southern States should stand as a unit in opposition to this proposal. We have no doubt that they will. It would be wise if the Southern delegations in the two houses of Congress should go on record now to the effect that the South will never consider the proposed amendment, without waiting for the possible development of sentiment in favor of it elsewhere. That would put a stop to Capper's movement at once.

## Los Angeles Woman Takes Arthur Brisbane To Task

*Column*  
In a letter to Mr. Arthur Brisbane, Miss Ruth S. Keen of Los Angeles takes him to task.

Arthur Brisbane, 3-8-30  
The Examiner, Los Angeles.

Dear Sir—I beg leave to comment upon a paragraph anent the recent ace riots which appeared in your column of Bris-banalities in the paper for people who think they think. *May I quote?*

"White men in a white man's country will not permit Asiatics to take either their jobs or their women."

I have always been amused, Mr. Brisbane, at the adroit facility with which you skim in graceful verbosity over the thin ice of politics, sociology and all affairs of the universe, becoming passionate only upon the subject of California real estate.

Now I discover that I must really take you seriously for this paragraph convinces me that your mental processes are as shallow as an occasional perusal of your column would lead one to suppose.

Perhaps you do not know, Mr. Brisbane, that the jobs now held by Filipinos in the North are jobs that white men refused because of living conditions and that white men have acted like dogs in a manger by refusing these jobs and then objecting to Filipinos taking them.

As for your statement in regard to women, you force me to accept the conclusion of many thinkers that women are also a part of your vicious economic system.

We would suppose that white lords of creation, being such chivalrous guardians of their own women, would have the same desire to protect women of other races. But this alleged protection does not go so far. I have before me a sworn statement from the islands of Samoa (under your protection, remember) in which I find that white men in this marine-ridden island, by violence or cajolery, seduce Samoan girls to yield to their lust, then abandon them, often with child, and against this treaement they have no redress. Doubtless this same thing happens in the other islands controlled for their good by dear old Uncle Sam.

And I do not forget, Mr. Brisbane, the bitter and cruel wrong white men have done to colored women when they were helpless and needed protection. If you think that decent white women do not resent these wrongs against defenseless women of other races, you are sadly mistaken. We are all sisters under the skin.

Many white men are bullies and braggarts, but there is one group

over, which they have no power—their white women.

From the beginning of time, at first stealthily and subtly, but now quite openly and shamelessly, white women have always had what they wanted (you see, we share our lords rapaciousness) and they have always given themselves to men whom they admired and preferred quite regardless of class, creed, race, color or previous condition of servitude.

SO—Mr. Brisbane, I have the honor to inform you that, if white girls admire and prefer men of other races, neither bluster, bragging nor bombs will stop them from doing so for they not only trust their own convictions in such matters but have the courage to carry them out.

I thank you.

RUTH SKEEN.



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Georgia

## Defies Dixie Traditions



JAMES BANKS AND HIS WIFE

Seventy-nine-year-old Georgian, graduate of Yale university and Harvard Law school, whose domestic life has been invaded by some of his relatives who seek to separate Mr. Banks from his wife, who is not white. The rich southerner, tired of the laws of Georgia which prohibits intermarriage, but permits concubinage, came North and married the woman he loved. "I'll stand no d— foolishness," he told a Defender reporter. "I'll pick up and go to Europe if they fool with me. I got plenty of money. They can tell me anything and everything, but they can't tell me who I can or can't marry."

## White Man Molested and Wife

"If they fool with me I'll take Dolly and go to Europe," said James Banks, 79-year-old

son of one of New England's oldest and wealthiest families, to newspapermen Tuesday when told that his sister, Mrs. Fannie Banks-Calloway of La-Grange, Ga., through Joseph M. Lillie, has instituted a suit to have his marriage of July 7, 1927, to Mrs. Dolly S. Gardner annulled.

One impressive thing which one couldn't help observing was the apparent perfect peace and happiness of the couple. In their luxuriously appointed graystone mansion at 4814 West Peachtree, Ponce de Leon and South Pkwy, Mr. and Mrs. Banks sat on a settee, in their drawing room, like two love birds. Mrs. Banks was dressed in a brown satin ensemble which harmonizes quite strikingly with her copper skin. She still has charm despite her 58 years, 44 of which she has known Mr. Banks. The suit to annul the marriage charges that Mr. Banks was incompetent at the time the ceremony was performed.

Mr. Banks is the son of the late Henry Banks, a Connecticut Yankee who was born, reared and educated in the New England states. His elder Banks was a shoe manufacturer, and just prior to the Civil war he went South and established a factory. Dollars in confederate money were piled in by the thousands.

The shrewd Henry Banks did not bank the money as many of his associates did, but bought cotton and real estate. When the war ended and the confederate money turned out to be worthless, the Banks' estate was valued at a million dollars.

### Studied at Yale

While his father was accumulating a vast fortune in the South, young James Banks was equipping himself with an education at Yale, from which college he was graduated in 1871. He studied law at Harvard and for 15 years practiced in New Haven and in Atlanta, when he met Dolly, then a pretty brown-skinned servant girl in her teens, who was in the employ of his family.

"It seemed like love at first sight," the aged millionaire said, as he nipped the hand of his wife, who sat beside him on that settee, constructed, seemingly, for just the two of them. "I have loved Dolly for more than 44 years, and if anybody thinks he can stop me he is crazy. Dolly and I lived in Druid Hills, the most fashionable section of Atlanta, among the Candler and the Adairs, and the Ku Klux Klan, as it were. No one dared say anything to me or to her. I treated everybody right; paid my bills, and told my friends, even my father, when, on one occasion he spoke to me about Dolly, that nobody in the world could dictate to me how to run my personal affairs. "Forty-four years without a hub his hand to be shaken. "I am glad you came," he said. "You must come asked if there had ever been any serious unpleasantness in his life with his brown-skinned wife. "We have been exceedingly happy together," he continued. "Of the many things I might do, I will not lie; I never denied that Dolly and I lived

together; nor will I be a hypocrite. I loved Dolly and I married her. Moreover, I am proud of her."

### Property in South

Birds and flowers and gold fish are everywhere to be seen in the Banks' home. Mr. Banks, a combination of southern hospitality and New England culture and principles, spends a great deal of his time trimming flowers and feeding the fish and birds.

The principal part of the Banks' estate of which the Continental Trust Bank is conservator is located in Florida and Georgia. The New Knox hotel in Cocoa, Fla. is a part of Mr. Banks' fortune. Also included are several apartment buildings in the pointed graystone mansion at 4814 West Peachtree, Ponce de Leon and South Pkwy. Mr. and Mrs. Banks own several orange groves in Florida and like two love birds. Mrs. Banks was in Georgia to make the millions controlled by the calm little James Banks, who defied Dixie traditions and married the girl he loved though she was not white.

Speaking of his southern leaseholders, Mr. Banks declared, "If there is anyone living on my property who doesn't like it because I married Dolly, let him move right off. They'll never separate us; I'll pack up and go to Europe first. I have enough money to keep us comfortable the rest of our lives, and then some."

"We would like to know why Mrs. Calloway has suddenly become interested in your personal affairs, did you know you lived together in Atlanta?" one of the reporters asked.

### Relatives After Money

"Of course she did," Mrs. Banks said. "No one made any trouble for us until we came here and married. They are after the money. It matters not to them how it hurts Mr. Banks and me. He means everything to me and I to him. After nearly 50 years of happiness together and both of us are reaching the autumn age, when we'd like to reflect over our long life of contentment, it is miserable to think that anyone would be so mean as to attempt to rob us of our few remaining years of peace."

Mrs. Banks also revealed that her husband has several nephews and several nieces, but Mrs. Calloway is the spokesman. A statement given the press early this week declaring that Mrs. Calloway acted to have the Continental Trust bank appointed conservator of the two other brother's estate, was denied by Mrs. Banks. It was she and her husband, Mrs. Banks declared, who selected the institution now serving as conservator. It was suggested that Attorney Cutting (white), who is representing Mr. Banks, that Mrs. Banks have herself appointed conservator, she said, but this she refused on the grounds that the bank could handle the affairs better than she. The reporters arose to leave, and the cordial Mr. Banks pushed forth his hand to be shaken. "I am glad you came," he said. "You must come asked if there had ever been any serious unpleasantness in his life with his brown-skinned wife. "We have been exceedingly happy together," he continued. "Of the many things I might do, I will not lie; I never denied that Dolly and I lived

## COLORED WIFE TARGET OF RELATIVES

### Sue to Take Property After Atlantan Weds Former Cook

CHICAGO — The day after a judge in the Superior court had awarded \$200,000 to a colored woman from the estate of a wealthy white man with whom she lived as a housekeeper, Chicago was treated to another juicy bit of tea table discussion with the filing of a suit Monday which seeks to separate an aged white millionaire from his colored wife, whom he married in 1927.

### He Is From Georgia

James Banks, 79, 4814 South Parkway, is the man and his wife is the former Dolly S. Gardner, a colored woman who is said to have been a cook in his family before he married her.

Banks is a Harvard graduate and grew old and made his fortune in business in Atlanta, Ga. He was respected in Atlanta as being a shrewd business man.

In Atlanta he lived with his sister, Mrs. Fannie Banks Calloway and the present Mrs. Banks was their cook. In 1927, Banks and his colored sweetheart eloped and came to Chicago where they were married July 7, 1927. She is 58 years old and is distinctly a colored person.

### Called a Scheming Woman

The suit was filed Monday by Joseph M. Lillie, a Chicago business man and a friend of the Banks family in Atlanta. It asks annulment of the marriage and asserts that Banks was suffering from senile dementia and was in the hands of the scheming woman when he made the marriage vows. After the woman became his wife she exercised wiles to have him sign over to her management his Georgia plantations, Florida orange groves and Cook county real estate, with detriment to the value of the properties, according to the bill.

### Acts for Planter's Sister

In a suit brought last spring, Mrs. Calloway secured the appointment of the Continental-Illinois Bank and

Trust company as conservator for her brother's estate. No conservator was asked for his person, but one will be sought if the present suit is successful. Banks' property is estimated to be worth \$1,000,000. Other actions for the recovery of gifts to the wife will be brought, it is said. When a reporter from one of the



# WHITES WIN FIRST SKIRMISH IN FIGHT AGAINST COLORED WIFE

CHICAGO, March 13.—(ANP)—As a result of a court order issued Monday in behalf of relatives of James Banks, 79-year-old Georgian planter, Joseph Lillie, white, was granted permission "as a friend" to press a suit for the annulment of the marriage of Banks to Mrs. Dorothea Gardner Banks, his colored wife.

The order was signed by Judge George Gentzel of the Superior Court and held in effect that Banks was at the present time mentally incompetent to handle his own affairs.

The wealth of the Georgian is estimated to be in excess of one million dollars. The purpose of the suit, it is alleged, is to prevent this fortune from going to Mrs. Banks. Lillie is supposed to have brought the suit on behalf of Mrs. Fannie Galloway, sister of Banks.

Mr. and Mrs. Banks were married in Chicago in 1927 after a romance that had lasted through forty-two years, spent in Georgia, where, according to Mrs. Banks, they lived as man and wife, but were not married because of the laws in that state against intermarriage.

and returned to his ancestral home to preserve the honor and integrity as head of an estate valued at a million dollars. As his own man, he respects marriage as an inviolable institution, resumed his association with the woman of his choice, and because the laws of Georgia forbid intermarriage of the races, their relations were clandestine. After twenty years of constant warfare against the social ostracism which was brought down upon him because of his love for a woman of another race, and combating the efforts of his greedy relatives to rob him of his fortune, Banks came to Chicago, where he and Mrs. Banks were married three years ago.

In 1929 Banks' white relatives through Joseph M. Lillie, a citizen of Chicago, charged that Banks was insane, and incapable of managing his property. A sanity test was given which resulted in a finding that Banks had been of unsound mind for six months, and a conservator of his estate was appointed. Lillie then brought suit for annulment, charging that Banks was insane when he married Mrs. Banks. This move Attorney Green is fighting, claiming that even in the event his client may now be judged legally of unsound mind, no question of his sanity was supported which would cover the time of his marriage.

Attorney Green styled the case against Mrs. Banks as a plot on the part of her husband's relatives to appeal to prejudice in an effort to rob her. He appealed to the court

## BARES HER PAST LIFE IN COURT BATTLE WITH 'WHITE RELATIVES'

and nodding assent to his story. Attorney Green stated the troubled course of their romance of forty years, from the days of their clandestine love in Georgia to their escape to Illinois as a haven of refuge. Judge Sabath's court Monday to fight where they could live and love protect the interests of James Banks, aged and wealthy white planter from Georgia and his colored wife, Mrs. Dolly Gardner Banks from an alleged conspiracy when she was a girl of 14 years, a of relatives of Banks to annul the marriage of the pair, on grounds that the aged millionaire is of unsound mind, and thus rob his wife of her share in his fortune. While the couple sat in the court room, where he graduated with honors,

**FIGHTS ANNULMENT**  
Banks and his wife first met when she was a girl of 14 years, a of relatives of Banks to annul the marriage of the pair, on grounds that the aged millionaire is of unsound mind, and thus rob his wife of her share in his fortune. While the couple sat in the court room, where he graduated with honors,



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## Part Negress Reveals Child's

GIFTS OF \$200,000 UPHOLD BY COURT

## Paternity To Claim Money

CHICAGO, Feb. 1.—(P)—Gifts of approximately \$200,000 to Ella M. King, 51, from the late Charles H. Pulsifer, board of trade member, were upheld by Superior Court Judge Robert E. Gentzel today in an opinion which revealed for the first time that the King woman is part negress.

The gifts had been contested by Mrs. Alice P. Crockett, 45, a granddaughter of Pulsifer's, who alleged that the gifts were obtained by Ella King while Pulsifer was under her influence and in a weakened mental condition.

Judge Gentzel's opinion relates that in 1893 Ella King, then known as Ella Jamieson, came to Chicago from Nashville, Tenn., and met Pulsifer then 55, "robust in health, forceful, dominating and aggressive." It describes Mrs. King as having a "con-

siderable admixture of white blood (the white blood predominating to such an extent that several female white witnesses said that, although they associated with her, they never knew or thought she was in any way of colored blood.)"

Thomas King, white, who had known Ella Jamieson in Nashville, came to Chicago, met Pulsifer, and was induced to live with the girl and claim paternity of a child born in 1901. Judge Gentzel said. He was induced to marry the Jamieson girl but a minister refused to perform the ceremony, the account continued, and, in 1924, Ella King obtained a divorce from King, whom she had never married, on grounds of desertion. The King woman testified at the present trial that she obtained the divorce at Pulsifer's suggestion, so King might

not claim any money he might give her.

The woman has kept her race secret for 30 years, she said, to protect the happiness of her daughter, who is married to a white man and who has two children. The daughter was bequeathed \$10,000 in Pulsifer's will.

During the recent suit over the gifts, the daughter's husband was kept from the courtroom and evidence on the race subject was introduced cautiously. The couple lives in Highland Park, a fashionable North shore suburb.

Pulsifer died in January, 1929, at 91. His mental condition, the court held, was "that of a man possessed of an acute and clear mind."

## NEGRO COUPLE

## SEEK TO ADOPT

## A WHITE BABY

First Case of Kind in Cook County.

A petition to adopt a seven months' old baby boy, white and red haired, was filed in the County court yesterday by a Negro couple, who declare the baby's parents have consented to the adoption. A ruling on the petition, which will be heard by County Judge Jarecki, will set a precedent, according to court officials, who said the case is the first of its kind ever begun in Cook county.

The petition was filed by Attorney Carlyle S. Guibor on behalf of William Linder, a contractor, and his wife, Mary. The Linders live at 5222 South La Salle street. Both Mr. and Mrs. Linder are Negroes, the attorney said, although this is not stated in the petition. Neither does the petition reveal that the baby is of white parentage. A statement of these facts is not required, court officials said, because the Illinois adoption statute contains no reference to the interchange of races.

## Baby Born On Jan. 7.

The petition says the baby, named Joseph Julian, is the illegitimate son of Joseph A. Murphy and Mrs. Rose Julian, a widow, both of 5120 South La Salle street. The baby was born last Jan. 7, the Linders' attorney said.

Mrs. Linder was the only attendant present when the baby was born and she and her husband have cared for the boy continuously since then, the petition states.

According to the petition the mother does not want the baby and the father has disclaimed any responsibility for the child's support. Mr. and Mrs. Linder assert they are well able to bring up the boy and provide him with suitable care and education.

Officials of the court pointed out that the judge may deny the petition by ruling that the adoption is not for

Illinois.

the best interests of the baby. However, if the attorney can prove that the adoption is for the best interests of the boy and the judge still refuses to approve the petition, the attorney may go to another court and obtain a writ of mandamus to compel Judge Jarecki to sign the adoption decree.

## Efforts to Amend Laws.

Attempts to amend the statutes to prevent such cases as this have been made by state legislators the last few years, but have failed.

The present case came to the attention of juvenile authorities when a policewoman, investigating delinquents, found Mrs. Linder caring for the white baby. The authorities are trying to take the baby from the custody of Mrs. Linder, Attorney Guibor said, and the petition for adoption is intended to halt this action.

## Chicago Couple Balked in Attempt to Adopt White Baby in Their Custody

Father and Mother of Child Suffer Change of Heart After Newspapers Dwell Upon

## Dire Consequences of Move

CHICAGO, Aug. 25 (ANP).—Mr. and Mrs. William Linder live in the 5200 block of La Salle street in this city. Mrs. Rose Julian and Joseph Murphy, both white, live in the 5100 block of La Salle street, at the same number. The Linders and Mrs. Julian and Murphy are therefore neighbors, and the difference of race has not kept them from being friendly neighbors.

The Linders, though colored, are rather well-to-do. Mrs. Julian and Murphy have little of this world's goods. They entered a petition before the county court.

But they have had an abundance of regard of a particular kind for each other. They had so much that about seven months ago a child was born to Mrs. Julian out of wedlock and she named the child Joseph Julian, out of regard for Mr. Murphy who she claimed, was the father.

Mr. Murphy, however, was not interested in his alleged offspring. Mrs. Julian has three other children. Mrs. Linder, the colored neighbor, dropped in when the child was born, and cared for the white woman. Ob-got busy and changed the mind of serving the poverty roundabout, she took the red-haired white baby home with her later and agreed to care for it. Mrs. Julian was quite willing, confessing that the burden of its upkeep, without the help of Mr. Murphy, would be too much for her.

Thus matters went on for seven months. Then Mr. and Mrs. Linder decided that inasmuch as they had taken the child as their own, they had better make the adoption legal.

## Rockford Judge Gives His Views on Intermarriage

ROCKFORD, Ill., March 14.—Judge Fred C. Carpenter of the Rockford superior court took occasion to air his views on intermarriage Tuesday when asked to perform a wedding ceremony for Richard Ironmonger and Ruby Glen of Willow, Wis. Judge Carpenter refused to marry the couple because Miss Glen was white, and then gave his opinion on the subject:

"Intermarriage of the races is against public policy despite the fact that it is permitted by law in Illinois," the judge declared. "The better class of Negroes realize this and are against such intermarriages. Although the state permits such intermingling of the races, I think it is wrong."

Ironmonger and Miss Glen thanked the judge and then proceeded to a minister, who willingly performed the ceremony.

Commenting on the judge's attitude, a white citizen of Rockford stated that he was glad every person "does not think as the judge does. After mixing white blood with that of Negroes for 300 years, during the majority of which period the black people were in slavery and unable to help themselves, the least we can do now is to make it possible for those who care to mix their

bloods to do it legally.

"It seems to me that marriage must eventually come to be a personal problem. A man eventually gets the woman he wants if she wants him—they might as well be encouraged to marry, if they have discovered love," declared a white minister. "Personally," he concluded, "I can't see that intermarriage is as much against public policy as the system of white men interbreeding with black women without recourse to the laws of the land."

Judge Carpenter's attitude is typical of that of the average white person of 25 years ago; most Americans think differently now—especially those who claim to be progressive in thought."

## Not Against Intermarriage

As to "the better class of Negroes" being against intermarriage, Judge Carpenter is in no position to state. Being a white man with a white man's attitude on subjects of this nature, he knows nothing of what the "better class of Negroes" want. It happens that in this case he is wrong. The Race is not against intermarriage. Dark women have been used for centuries to breed illegitimates for white men and there were no Judge Carpenters to object. It is strange that they should be so interested in public policies now that white women have decided to select those whom they would marry without regard to race or color. Judge Carpenter would do well to remember these facts.



Amalgamation-1930

Louisiana

## BLOOD TEST TO DECIDE PARENTAGE OF INFANT

*Commenced*  
*Appeal*  
Mother Finds Missing Child  
in Negro's Home.

*1-1-30*  
*from New Orleans*  
COVINGTON, La., Dec. 31.—

(UP)—Evelyn Patricia Green, a three-weeks-old child missing from her home since last Thursday, was found by her mother, Mrs. Roscie Green, today, only to be claimed by a negro woman and embroiled in a controversy over parenthood which will be settled by blood tests in New Orleans tomorrow.

The child, whose parents had resorted to spiritualistic mediums to find her, was finally discovered in the home of Liela Ewing, negro, who claims to baby is her own. She had been working at the Green home, near here, two days before the child disappeared.

The child will be taken to New Orleans tomorrow and test will be made to determine if there is negro blood in her veins.

## No Lynching Here When White Man, Colored Wife, Jailed *Recorder*

RUSTON, La., May 16.—(ANP)—Hub Barnette, white and Hattie Wilder, were lodged in the parish jail on a charge of concubinage, following complaints that came to the local sheriff's office from citizens of Ward two, where Barnetts resides, alleging that the woman has been living as the common-law wife of Barnette for several months.

*5-17-30*  
According to Sheriff Thigpen, reports have come to his office from both white and black neighbors of the couple in which complaints were made against the conduct of the couple. Sheriff Thigpen and his deputy Clyde Frasier went to the home of Barnette and made an investigation which revealed that the charges were true. The couple was then arrested and brought to the parish jail, but were later released on bond.



Amalgamation-1930

Maryland.

# POLICE INVADED HOME; BEAT UP WHITE HUSBAND

*After American*  
Judge Rebukes Detectives and Dismisses Assault Charge

4-12-30  
COUPLE MARRIED  
*Baltimore, Md.*  
Local Woman Married White Man in Ohio

In Baltimore, a man's home, no matter how humble, is still his castle.

That two police officers invaded the home of Mrs. J. W. James and her white husband and beat up the man because he protested against language they used to her, developed in Criminal Court, when Judge Robert Stanton rebuked the officers, and dismissed the charges of assault they had placed against the Jameses, Friday.

Mrs. James, who was formerly Miss Pearl Brown of this city, married James in Cleveland and after living there for some time, they moved here and established the White Front Sea Food House at 1501 W. Franklin Street. They lived in their residence at 423 N. Stricker Street.

## Invaded Home

Their troubles with the police started, according to evidence brought out at the hearing, when on March 25, Officer Charles Hudak, white, accompanied by officers Ferd Kammer and Ansell Konitzer, in plain clothes, broke into the Stricker Street home, alleging that they saw Mrs. James handling lottery slips.

On entering the house, they asked what kind of business he conducted. When James told them that he saw no reason why he had to tell them his business and protested against their treatment of Mrs. James, the officers seized him, and while two of them held his arms pinioned, Officer Ward, it was testified, struck him on the nose. James's nose was split by a brass ring on the officer's finger. James was taken to Provident Hospital, where it was necessary to take five stitches in his nose.

## Arrested Pair

Following this, Mr. and Mrs.

James were taken to the Southwest-ern police station, where cops pre-ferred charges of assaulting an of-ficer and lottery gambling.

In addition, they are said to have staged a raid, confiscated letters, books, papers, an adding machine, and \$241.27 in cash. Of this amount, James claimed \$200 was hidden under a mattress in his bedroom.

At the hearing, J. Howard Payne, attorney for James, forced the of-ficers to admit that they entered the place without a warrant, against the wishes of James, and he argued that his clients should be dismissed on the ground that their constitutional rights had been violated by the of-ficers.

## Lawyer Acts

Basing his plea on the grounds of unlawful invasion of the home, Mr. Payne filed a petition with Judge Stanton last week, charging a viola-tion of the fourth and fifth amend-ments of the U.S. Constitution and of Articles 22 and 26 of the Bill of Rights. In open court, he also ac-cused Assistant State's Attorney Hammer of delaying the case on ac-count of an alleged loss of papers.

Judge Stanton refused to grant the petition compelling police to re-turn the property of the Jameses which they had illegally seized, and upon which they based their gam-bling charge. Mr. Payne noted an exception and the trial proceeded.

All of the officers admitted that they had entered the home without a warrant, "not having time to ob-tain one." It was also admitted that James was brutally struck in the face by Ward at a time when two brother officers held him helpless. Both of James's hands were held by these police while he was struck.

## Officers Rebuked

Under cross examination, Officer Kammer attempted to justify his forceful entrance of the Jameses's home by declaring that while walk-ing past a window he had seen some-one in the house with lottery tick-ets in his or her hand.

"Do you mean to tell me, Officer Kammer, that if you look through all window and see someone with a lot-tery ticket in his or her hand, you have a right to enter?" asked the judge.

"Yes, sir," replied Kammer.

"Well," replied the judge, "if you don't know any better than that, you have got a whole lot of instruc-tions coming to you as to your du-ties."

At this point, Mr. Payne present-ed his motion for dismissal and Judge Stanton declared:

"Yes, motion granted and without hearing defendants, I find them not guilty as to lottery and not guilty as to assault on a police officer."

## Charge Prejudice

Both James and his wife declare that they believe the whole action of the police was prompted by pre-judice growing out of their knowledge that a white man had married a Ne-gro woman.

They pointed to Mr. Hammer's question addressed to Officer Hudak: "Is James married to this colored

woman?" as an indication that there was an attempt made to try them for marrying each other rather than for gambling or for assault.

Upon Mr. Payne's objection, Mr. Hammer withdrew the question.

Girl who Married Negro

*After American*  
Demands Annulment

HAGERSTOWN, Md.—Papers were filed in the local court asking the annulment of the marriage of May A. Cleary to Charles A. Boe, both of Pennsylvania, after the bride's discovery that her husband has colored blood.

Boe is confined in the Washington county jail awaiting trial for violat-ing inter-marriage laws.

**SOCIAL EQUALITY**  
*After American*  
**KEEPS LOCAL**  
*9-6-30*  
**POLICE BUSY**

*Baltimore, Md.*  
Interracial love affairs

again galled the local police department this week and re-sulted in the arrest of three couples following unauthoriz-ed raids.

Patrolman Frank Pica, of the Northwestern district, who came into the limelight several years ago when he arrested a local dentist because he saw him riding with a light com-plexioned companion whom he mis-took for white, scored again this week when he arrested two white girls and two men whom he found together, Monday night.

Austin Pierson, 26, 620 Dolphin Street, and Miss Eula Adams, white, 111 E. Ostend Street, were fined \$50 and costs when arraigned in the Northwestern police court, Tuesday morning on charges of disorderly conduct. Miss Lena Myers, white, 20, 111 E. Ostend Street, who was ar-rested with the couple, was dismissed.

That the mere association of a white woman with a colored man, regardless of her desires, constitutes disorderly conduct in the officer's code of morals, was again proved when he came upon Miss Myers seated in a car parked in front of 320 Dolphin Street, with Charles Jackson. Upon being rudely ques-tioned, the young woman admitted that she was waiting for her friend who was inside the house.

The officer forced his way in with-out a warrant and placed the couple whom he found inside, under arrest.

## Girls Made Date

In his own defense Pierson de-clared that he and Jackson were riding in the latter's machine, when

he left the car to get a package of cigarettes. On returning he found the two white women in the car. The four then drove to the home of Mrs. Mary Tasco, 5205 Denmore Avenue, where they danced and drank. They then drove to Pier-son's garage at McMechen Street near Druid Hill Avenue. After he had secured his own machine, Miss Adams and he left the other couple in Jackson's car, and drove to his home.

## Came Back

Miss Myers declared that Jacks-on drove her almost to the door of her home when she became worried about Miss Adams and asked him

to drive her back to the house where the couple had gone.

In her statement Miss Adams de-clared that she had known Jackson for several years, since before the war, when he was employed by her father as a farm hand at Crisfield, Md. She also declared that she was very friendly with Mrs. Tasco, whose home she had visited.

In her testimony she denied that she felt that there was any harm in her associating with persons of the opposite race.

## Charged with Pandering

Taken into custody by detectives who had been tipped off as to their actions, Miss Annie Simmons, white, 24, 1019 N. Calvert Street, and Clar-ence C. Miller, 26, 806 N. Fremont Avenue, were arraigned in the Cen-tral police station and cited for the action of the grand jury on charges of immoral practices.

According to testimony given at the hearing before Magistrate Cad-den in the Central police station, Friday, the couple were arrested by detectives after Miller, who is a tell-man at the St. Charles Hotel, Charles and Oliver Streets, had ar-ranged a meeting between the girl and a white man.

She confessed that she shared her earnings with him. Miller was held in a charge of pandering.



# Harrisburg Man, Who "Passed," Married White Girl, is Arrested

Charles A. Boe says Mother was White, Father Colored;  
Faces Penitentiary Term.

*8-2-30*  
*Baltimore, Md.*  
HAGERSTOWN, Md.—Cupid, that color-blind wielder of love-tipped arrows, brought confusion to a Harrisburg romance this week, when 17-year-old Mary A. Cleary white, told her mother that her 24-year-old groom, Charles A. Boe, was a colored man.

As a result, the bride's honeymoon is shattered and the groom faces a pen term of from eighteen months to ten years for marrying a white girl in Maryland.

## Got License in Hagerstown

Just what happened behind the scenes of this interracial romance is not clear, but when Mary's mother and father learned that the marriage license had been secured in Hagerstown, they appealed to the law and Boe was arrested and turned over to the authorities of this city.

Both the bride and groom lived in Harrisburg where they met each other and became lovers. They attended dances and parties together and when the love affair became serious they decided to marry. On July 14 they came to this city where the license was secured and ceremony performed.

It was not until they returned to their home that the parents were given the information that the groom had Negro blood in his veins. He is fair and as pink as most white men, the girl said, and she never thought of his race. Boe is said to have frankly admitted that his father had colored blood in his veins, but that his mother being white, he had never gone about with a tag advertising the fact.

## Faces Pen Term

Since the Maryland laws makes marriage between couples one of whom has any trace of Negro blood in his or her veins, a crime, Boe faces a pen term.



## Interracial Love in State of Mississippi

By ANTONY J. FERNANZI

The Scoop, which is Jackson, Mississippi's latest newspaper, edited by white men of that city, has revealed the truth in black and white for the first time in the study of racial relations in that state.

The love affair of George B. Robinson, who was slain by an officer last week at Raymond, Miss., because he was caught making love, which was mutual, to Mrs. George Miller, 23-year-old white woman, has given to students of sociology a new point of view which is unobscured by any doubt or cynicism.

The Scoop did not in any manner teach the Negro anything new, but the editor simply told more than white editors usually impart. The editor of the Scoop has written across his publication: "Prints What the Others Dare Not," and proves beyond doubt to be Mississippi's bravest editor.

When the Scoop was released the early part of last week, Mayor Walter A. Scott ordered policemen to "take up" every paper which resembled the Scoop. The officers obeyed and succeeded in confiscating a goodly number of Scoops which had slipped by the eyes of the Jackson officials. Nevertheless, the love story, that is, the account of the love trial with George Robinson absent, was told word for word.

Excerpts from the Scoop follow: "According to officers, Mrs. Miller admitted two sexual intercourses with the Negro, stating that the first time she went riding with him in an automobile while both were working at the hotel. She said, according to examining officers, that the second time was at the Negro woman's house on S. Gallatin St., where Constable Ellis, working on a tip that the affair was going on at the house, caught Mrs. Miller and the Negro, Robinson, in a room together 'red-handed' on a bed partially undressed. Mrs. Miller, officers said, denied any relations besides these two instances, but circumstances indicate possible trysts in addition to the two times mentioned.

"When told of George Robinson being shot to death at 12:15 p. m., Thursday, at the Raymond jail by Deputy Sheriff Ford, Mrs. Miller let out a war hoop and sobbed heavily. All afternoon she asked for a final edition of the Daily News and when showed one in the justice court by the editor of the Scoop, tears streamed from her eyes where she had been jovial.

"Mrs. Miller seemed to be more

worried about the Negro's welfare than her own or anything else.

"Many citizens feel that Mrs. Miller was as much to blame as the Negro. True, in a way, but Negroes of the South must learn that regardless of who a woman is or how low, if white, he must not touch her."

A clarification of the entire affair reveals just a love scene from which one received a \$250 fine and a sentence to the county farm for 16 months. The other was a victim of a new lynch law and of course, met death.

Sociologists should now see that no law can completely kill the love passion of human beings. White men should also see that they cannot rear two families in Mississippi, one by a white woman and the other by a Black woman and still have his children, whether boys or girls, to ignore the affection of the opposite race.

White men are focusing every effort in their fight to kill and destroy every Black face that becomes too intimate with women of their race.

All the shrewd lawyers in America could not have saved Robinson's life as it was not a matter of law—but merely death for a Negro, who had actually had a mutual sexual intercourse with a white woman.

George Robinson was educated, so was Mrs. Miller. Mrs. Miller is not the "trash" which so often causes death to the Negro. She is of the medium class of whites. Her husband holds a prominent job in Jackson. Thus, it cannot be said that only the whites, who are put "down," resort to Negroes.

The Scoop, in informing the Negro about his place with white women, should make some investigation into the matter of checking the open affair of white men living with Negro women as man and wife, not far from where the Scoop is being edited. If the editor of the Scoop doubts this, we suggest to him that he black his face and make several calls to certain homes in and near Jackson, only to be run away by a member of his own race, who makes his abode, not with a white woman in whose honor he has lynched and burned Negroes, but a Black woman.

The white man has his unwritten law in Mississippi, which is the only law enforced in that state, and the Negro simply looks on with a burning heart and tearful eye.



# FIGHT WILL TO COLORED

WHITE RELATIVES OF WHITE WIDOWER WHO HAD HIS COLORED WIFE'S SISTER AS HOUSEKEEPER TO CONTEST BEQUEST TO HER

St. Louis, Jan. 3, 1930—White relatives of Henry Altivater, white, 73-year-old drayman, seek to break his will by which he bequeathed his \$20,000 estate to his colored housekeeper and sister-in-law, Mrs. Annie Wisely. The white plaintiffs are Mrs. Mary Hellstern and Conrad Altivater, sister and brother of the dead man, who allege his will was made when he was mentally incompetent and unduly under the influence of his colored sister-in-law.

The instrument was signed November 17, 1928, five weeks before he died. Mrs. Wisely, a stout woman past middle age, was found sitting by the stove at 903 South Tenth street, what had been Altivater's home.

She said the dead man had married her own sister years ago when marriage between the two races was legal in Illinois.

"They never had any children," she said. "So when my sister, Jane, died about fifteen years ago, I came here to take care of Henry. I helped him with his business affairs and kept house for him. He never paid me a cent. It was understood if he died before I did I was to receive his estate. That was my sister's last wish and Henry agreed with her."

## WHITE HUSBAND LOSES SUIT FOR WIFE'S ESTATE

*Afro-American*  
Court is Puzzled as He Swears His Wife was

White, too.

12-27-30  
DENIES HE'S NEGRO

*Baltimore, Md.*  
Sisters Prove He Knew Their Race

ST. LOUIS, Mo. — Another tangled skein of race relations had to be unraveled here last week when a court decid-

ed that Mrs. Ella Harris and Mrs. C. J. Neal, of Memphis, Tenn., were legal heirs to the estate of Mrs. Sarah Pearl Mays, wife of W. H. Mays, white.

Mays, fighting for the estate, claimed that Mrs. Mays, who died last January, was white and that the Memphis sisters were not blood kin and therefore not entitled to share in the estate.

**Married Here.**

Mrs. Mays, who before her marriage to the white man, was Mrs. Sarah Pearl, came to St. Louis in 1887, and as a member of the St. Paul A.M.E. Church, was well known in the community. Although of light complexion she was not only regarded as, but spent all of her activities as, a colored person.

In 1918 she sold the property she owned at 14 S. Channing Street and bought a home in Clayton, where she married Mr. Mays. Here they lived at a secluded life until her death last January.

**Sends for Sisters.**

It was during her last illness that she sent for her sisters. Mrs. Harris came and carried the remains back to the family lot in the Tennessee town.

On the witness stand Mays refused to identify a photograph of his dead wife. He admitted that although he thought his wife was white he was not certain. The judge himself pointed out that the picture bore a striking resemblance to the sister, Mrs. Eliza Harris, and that it left no doubt that it was that of a colored person.

Mrs. Harris told of visits to her sister and Mays while she was in St. Louis, and produced letters and telegrams he addressed her as "sister."

Because Mays swore that he is a white man, attorneys for the sisters plan action barring him from dower rights to share in the estate at all. Under the Missouri law which prohibits marriages between white and colored persons, Mays would have no legal hold on the property, they say.



Amalgamation - 1930

New Jersey

## GIRL WINS \$20,000 FROM N. J. MAN WHO MARRIES WHITE LASS

NEWARK, N. J.—As a balm for her shattered faith in the man she would marry, a jury last week awarded Miss Ethel Cannon, 23, of 51 Winans avenue, \$20,000 of the \$75,000 she sought to obtain from Dr. William Henry Washington, reputedly rich physician, of 322 High street, for breaking a promise to wed her.

In her allegations of the doctor's mistreatment of her, the plaintiff set forth under three counts each calling for \$25,000 damage, an outrageous assault when she was 17 years old, and two failures to marry her as he had promised on numerous occasions. They virtually lived together as man and wife, she said.

The alleged love episodes took place over a period of four years. They were to be married when the doctor's wife died, but Miss Cannon alleged he changed his mind, jilted her and married Mrs. Helen Wolfson, white, whom she alleges divorced a white husband in order to wed the physician.

The jury was shown a "temporary engagement ring," Dr. Washington's alleged gift to Miss Cannon and letters in which she was referred to as "Peaches" and he as "Daddy."

Bond for \$5,000 was posted by Clifford F. Donnell, druggist, 26 Richmond street.

The court ruled that the doctor was guilty of seducing the girl on the pretense of marriage.

The doctor filed a plea for new trial and on June 2, Miss Cannon must show cause why the new trial should not be granted.



# Nevada Divorce From Colored Wife In New Rochelle Granted To Kip Rhinelanders Not Valid In New York

## Separation and Alienation Suits Instituted By Wife In New York Will Be Prosecuted and She Retains All Property Rights

Associated Press dispatches from Las Vegas, Nevada, under date of December 27, state that Leonard Kip Rhinelanders had been granted a divorce from his colored wife, Mrs. Alice Jones Rhinelanders of New Rochelle, N. Y.

The suit was not contested and, according to Mrs. Rhinelanders' lawyer, Samuel F. Swinburne, will have no legal effect in New York.

Rhinelanders has been in Las Vegas in any way upon financial arrangements for the past year, and was present in court on Friday when the decree was granted.

complaint cited that Rhinelanders had separated from his wife after she had "by her wiles and artifices, taken advantage of his youth and inexperience, and so dominated him that he was induced to leave his family, until they became estranged from him, causing him great mental distress and humiliation." The document further cited that the "acts and conduct of the defendant had endangered Rhinelanders' life and mentality, and his life was further endangered to further live with her."

Within a few months Leonard Rhinelanders, son of Philip Rhinelanders, was married on October 14, 1924, to Alice Beatrice Jones, daughter of a Negro taxicab driver of New Rochelle. News of the marriage, when it became known a month later, caused a sensation.

When the case came to trial in November, 1925, before Justice Harmon told the court there were no children and no community property. The decree included no property settlement, and said there had been none agreed upon. Rhinelanders has been paying his wife a separate maintenance allowance monthly. Harmon indicated this might be continued, although the decree does not touch

Married In 1924.

Leonard Kip Rhinelanders, son of Philip Rhinelanders, was married to Alice Beatrice Jones, daughter of a Negro taxicab driver of New Rochelle. News of the marriage, when it became known a month later, caused a sensation.

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After the marriage Mrs. Kip Rhinelanders had told persons she was of Spanish descent, thereby explaining her dark coloring.

The case lasted for four weeks, but on December 15 the jury agreed that there had been no concealment and that young Rhinelanders had been aware, when he married, that his wife had Negro blood. The Court of Appeals on March 30, 1927, upheld the original verdict and denied the annulment.

Immediately Mr. Rhinelanders began to talk about a divorce, and his wife threatened a suit for separation. Both disappeared from public view for many months, but last spring Mr. Rhinelanders was discovered in Las Vegas Nev., where he was living in a mountain shack under an assumed name. Mrs. Rhinelanders' \$500,000 suit against Philip Rhinelanders for alienation of her husband's affections is still pending in the Supreme Court, and she has moved for an increase of the \$220 monthly allowance she now receives.

### DIVORCE FAILS TO HALT ALICE RHINELANDER'S SUITS.

Counsel Declares Her Property Rights Will Not Be Affected.

New Rochelle, N. Y.—Alice Jones Rhinelanders, who, according to reports, was divorced by her husband, Leonard Kip Rhinelanders, at Las Vegas, Nev., apparently is little concerned about the news. She was seen at her home, 763 Pelham Road, recently and insisted the action of her husband would not affect the two suits she has pending against Leonard Rhinelanders and his father. She also added that no matter what legal action her husband had taken in the Nevada city, her property rights in New York would not suffer.

Samuel F. Swinburne counsel for Mrs. Rhinelanders, said:

"I have not been officially informed of any divorce or separation obtained by Leonard Kip Rhinelanders at Las Vegas, Nev., but in behalf of Mrs. Alice Rhinelanders I will say her status will

not be affected, even if her husband obtains a divorce in Las Vegas, which, by the way, is not binding in New York State. Mrs. Rhinelanders will proceed with the suit for alienation of affections against her husband's father, Philip Rhinelanders, and she also will proceed with her suit for separation from Leonard Kip Rhinelanders.

"Even if Leonard should marry again (assuming that he has obtained a divorce) the property rights of Mrs. Alice Rhinelanders will in no way suffer.

"The suits against the Rhinelanders will be carried through as speedily as possible."

no matter who says it, that those in authority in my State and in my city have connived with or winked at any violation of those conventions which all civilization has come to recognize as important."

Senator Walsh of Massachusetts pointed out that "in every State university except in the Southern States, in every public school in America, colored children are received on an equal basis with white children" and added that "every church in New England, New York, Wisconsin, California and in nearly all of the States of the Union received on an equal basis the colored people with white people in the worship of God."

"So the issue raised here is one of sectionalism," added Senator Walsh, "an attempt to denounce and condemn the practice in all the States of the Union of permitting colored children to attend public schools and permitting colored boys and girls and men and women to worship God in Protestant as well as Catholic churches.

"Are we to close the doors of the house of God to the few poor colored people who have come up into the North and the West and are unable to support a church of their own? Must we say 'none but whites can pray to God here? None but whites can love God here? None but whites can serve God here? Is that the conception of religious tolerance that we are to preach and recognize in the United States Senate? God banish hate and jealousy and envy and rivalry, religious and racial, from this land of ours."

## We Would Ask Heflin

"Tom" Heflin (Dem., Ala.) wept in the Senate recently as he described the marriage of Mr. Philip Edwards, captain of New York University's track team, to a white girl.

Said Tom:

Shame on those in authority who will permit such a humiliating, disgraceful, and dangerous thing to happen in the United States? Where are the white men of self-respect, of race pride, and love of the white man's country in America whose brave forebears long ago decreed that there should be no pollution of the blood of the white race by permitting marriage between whites and Negroes? What has become of the brave knights of the white race who once boasted of their proud Caucasian lineage? For many generations they stood guard on the dividing line between the Caucasian and the Negro race.

The far-reaching harm and danger of marriage between whites and Negroes to the great white race that God intended should rule the world is apparent to all intelligent students of history; such mixtures always have resulted in weakening, degrading and dragging down the superior to the level of the inferior race.

God had a purpose in making four separate and distinct races—the white, the red, the yellow, and the black. God intended that each of the four races should preserve its blood free from mixture with other races and preserve race integrity and prove itself true to the purpose that God had in mind for each of them when he brought them into being.

Well, if God intended to keep the races apart, he hasn't succeeded so well, because history is full of racial intermixing.

If Tom spent as much time reading as he does in "argyfing" there would be more respect for his intelligence.

If he would consent to spend fifteen minutes a day in the Congressional Library next week, the AFRO would ask him then to give his opinion on the following:

Did George Washington fly in the face of God when he had a colored sweetheart—Mary Gibbon?

Did Thomas Jefferson go to hell because he had a colored child and was he followed by President Andrew Johnson who had three of them?

Was Alexander Hamilton any the less the "greatest secretary of the Treasury" because he was the "bastard son of a Scotch pedlar," as John Adams put it, and a West Indian woman?

If God's curse is on race mixing how about Dumas, Pushkin and Coleridge-Taylor? What of the millions of mixed bloods in Southern Europe over which the Saracens swarmed? How about Egypt, Persia and Arabia?

Is South Africa damned because English and Boers mated with native Africans? Or South America, because Indians, Spaniards and Negroes live without a color bar?

Who created the 3,000,000 mulattoes in the United States? If God wasn't acting through the white man, was it the devil acting?

And if it was the devil, has he finished with the white man now, so God can have a chance?



# "Divorced" Says Kip—"Deserted" Says Alice

WHITE PLAINS, N. Y., Jan. 30—(C. N.S.—Mrs. Alice Rhinelander won the first step in her fight to have the New York courts hold invalid the Nevada divorce of Leonard Kip Rhinelander, when Supreme Court Justice Morschauser granted her permission to serve by publication the complaint in her suit for separation against the once doing and "divorced" Kip.

In her complaint she contends that the Reno divorce her husband obtained recently illegal and void. She charges Rhinelander recently conveyed his holdings in a valuable piece of Fifth avenue property to his father, and that the conveyance was fraudulent and collusive and executed solely for the purpose of divesting the defendant of title to the property and bar her from her interest.

Mrs. Rhinelander also charges that the publicity given Rhinelander's Nevada divorce action caused her much humiliation and annoyance.

The judge appointed William G. Seely of Port Chester receiver of Rhinelander's real and personal property in this state in sequestration proceedings all the defendant's property in New York was ordered seized pending disposition of the suit, to enable the wife to collect whatever alimony may be awarded



her. Mrs. Rhinelander ask no specific alimony, but her attorney, William D. Cunningham, who, said he would apply for \$500 monthly.

With one court holding that Kip is divorced and another contending that he has a deserted wife the legal status of the Leonard Kip Rhinelander, whose martial troubles have attracted the attention of the nation became further complicated.



## HOT TALK IN SENATE OVER HEFLIN LETTER

Copeland, Rebuking Alabaman, Is Supported by Walsh of Massachusetts.

### LETTER KEPT FROM RECORD

Committee Will Decide on Admissibility of Attack on New York Leaders.

Special to The New York Times.  
WASHINGTON, Feb. 7.—A debate on religion and race that deeply stirred Senators and at times provoked gallery demonstrations took place in the Senate today as the result of a bitter attack by Senator

Heflin of Alabama on Alfred E. Smith, Governor Roosevelt and Mayor Walker of New York.

The debate followed a motion by Senator Copeland of New York to expunge from today's Congressional Record a letter by Senator Heflin in which he reproved Governor Roosevelt, Mayor Walker and other New York authorities for failure to prevent the recent marriage of Phil Edwards, negro track captain of New York University, to a white woman.

Mr. Copeland asserted that the printing of the letter, critical of New York officials, was in violation of the Senate rules and that it should be deleted. Senator Harrison of Mississippi, scenting trouble and a prolonged debate if Senator Copeland persisted, finally moved that the matter be referred to a special committee, to be appointed by Vice President Curtis. This was accepted by Senators Heflin and Copeland.

Mr. Curtis announced tonight that the special committee would be named as soon as an agreement as to its personnel could be reached by Senators Copeland and Heflin. The committee will decide whether the entire letter should be stricken out or merely those parts that refer to Messrs. Smith, Roosevelt and Walker.

#### Heflin's Life Threatened, He Says.

Mr. Heflin, in his speech, assailed the Pope and the Roman Catholic Church, asserting that threats against his life had been uttered by persons who disapproved of his attacks upon "the Roman hierarchy," but saying that he would continue on his course whatever the consequences.

Referring to the attempt on the life of President Ortiz Rubio of Mexico, Mr. Heflin said he realized it was a dangerous thing to discuss the question of religion.

"I do not know what my fate will be," he exclaimed, "whether I am to be threatened more than in the past, but I have written and left behind me with a number of friends my opinion about the forces that would undertake to put me out of the way. I want all my friends to understand that if anything happens to me, I want those instructions carried out to the letter."

The letter in controversy was written by Mr. Heflin in reply to a letter from Sam H. Reading of Philadelphia, who directed Mr. Heflin's attention to the Edwards marriage, and asked the Senator's opinion on the wedding of a negro to a white woman.

Mr. Heflin, under date of Oct. 15, 1929, wrote expressing "sadness and indignation" over the affair, and voicing disappointment that "the humiliated and grief-stricken white father and mother in New York

could get no assistance from Governor Roosevelt or Mayor Walker or any one else in authority in their effort to prevent the marriage."

#### Says State Officials Approve.

The Heflin letter stressed his horror of such mixed marriages and added:

"Scores of negroes in Harlem, New York, members of the so-called Democratic Tammany organization, have been permitted to marry white wives with licenses granted by and with the hearty approval of the State and city government presided over by Governor Smith and Jimmie Walker, and now by Governor Franklin Roosevelt and Jimmie Walker. These things are shocking, disgusting and sickening not only to the Democrats, but to the true representatives of the great white race in all parties the country over."

"The fact that the Roman Catholic Church permits negroes and whites to belong to the same Catholic Church and to go to the same Catholic schools, and permits and sanctions the marriage between whites and negroes in the United States is largely responsible for the loose, dangerous and sickening conditions that exist in New York City and State today, and the all-important question of preserving the integrity of our race and white supremacy in the United States."

"My knowledge of this open and notorious social equality policy, this terrible system in New York State, permitted and approved by Governor Smith, was one of the things that made it impossible for me to support him for President in 1928."

"Many States in the Union have laws which forbid marriage between whites and negroes; all of the States should have, and some day will have, such laws. I understand that New York would have had such a law but for the opposition of Governor Smith and his Tammany friends in the Legislature. Alabama has such a law, and I helped to put it in the Constitution of that State in 1901."

#### Charges Absurd, Says Copeland.

"All the charges made by the Senator from Alabama," said Mr. Copeland, "about control of the political life of New York State by the Roman Catholic Church or any other Church or group of persons representing any race or religion are perfectly absurd."

Senator Walsh of Massachusetts protested against the injection of "religious intolerance" into Senate debates.

"The sooner we forget sectionalism, religious prejudice and race hatred," he said, "the better for our government. But if we do not do it, if we do not forget, but keep constantly and steadily agitating it, pressing it and urging it, I fear very much for the security and safety of our beloved institutions."

Senator Copeland refused to yield when Mr. Heflin attempted to interrupt to ask a question.

"Nothing would be gained by an interchange of talk between the Sen-

ator and myself," Mr. Copeland observed.

"I know," said Mr. Heflin when he finally gained the floor, "that the bunch Senator Copeland is talking about wants me defeated for the Senate, but they cannot do it even with the aid of the Senator himself. They would like to have me defeated."

"They would like to have me reflected on just before I go to my State to open my campaign at the capital next Monday night. The Senator from New York—I do not want him to hear this, but it is whispered around that he has the Presidential bee in his bonnet—would rise in solemn grandeur and offer to expunge something that Senator Heflin had printed in the record just before he went down to Alabama to open his campaign."

#### Heflin Asks an Investigation.

"Before I submit to this thing being expunged, I will ask the Senator from New York to permit me to have an investigating committee appointed to find out the facts."

"The Senator from New York has made a mistake. What he ought to do is to get up and apologize to me and apologize to the Senate and to the country. He ought to apologize to that white father in New York and that white mother who go down to their graves in disgrace because their daughter is married to a negro."

Senator Heflin said New York would be "a fertile field for the Ku Klux Klan," and added, "they could do good service in that field. Negroes and whites are dancing together in the same halls."

Further along Mr. Heflin said: "I assert now that wherever Roman authority has been set up, wherever they have had the power with which to do it, they have destroyed free speech, destroyed peaceful assembly, destroyed the free press. I challenge anybody to dispute that statement."

"I assert in my place as a Senator that wherever they have had the political power with which to do it they have destroyed religious liberty, destroyed the separation of Church and State, destroyed the public school system, and I challenge anybody to dispute that statement."

"These six pillars are the pillars on which my country stands. Pull out these pillars and the Republic falls."

#### Copeland Denies Charges.

In replying Mr. Copeland declared that New York, with forty-three languages spoken within its limits, had many delicate problems to meet.

"It does hurt us," he said, "when a Senator rises here to give the impression that there is a connivance on the part of those in authority in our city and our State to break down what he calls the barriers between the races."

"I know of many negroes in the city of New York. There is not one of them but would applaud what I say now, that nobody desires intermarriage and interrelationship between the races in New York or elsewhere."

"We are striving as best we can to make good citizens of these people, of all colors and all races and all religions, who have chosen to live in New York City, and it is not true.



Amalgamation-1930

# HEIRESS TO JOIN HUSBY IN MOVIES

## Love For Newton Expected To Take Pop Bottle Heiress To His Side In Hollywood

NEW YORK, Feb. 20.—Eugene Newton, race cabaret dancer and husband of the Cincinnati pop-bottle heiress, Dolores Ford, is in Hollywood and not in Paris, intimates of Newton assert.

Newton, alleged by Miss Ford to have drugged her before she went through a marriage ceremony with him in November, 1928, had been reported seeking a divorce in France at the expense of William Ford, Dolores' multi-millionaire daddy.

Rumors galore are going the rounds, but the one which appears to have the most weight is to the effect that Dolores' love for her chocolate-colored mate is taking her to his side in Hollywood.

### Under Contract, Said

Denying the Paris rumor, friends of Newton assert he and his fidus Achates, Tom Garrett, vaudeville hypnotist, are under contract to be featured in a talkie built on psychic lines and based on the Newton-Ford marriage, with a hypnotic sub-plot.

From the same source it was learned expansive offers have been made to Miss Ford to appear in the play with her tan-colored spouse as the villain, and Garrett, hypnotist hero. The latter's spirited manifestations which intrigued uptown gatherings here a few months ago are reported to figure in the proposed production.

Miss Ford, who since she ran away a year ago with Louis di Matteo, a vaudeville associate of Garrett, and her detention in Montreal there by police at Ford's demand, has been living with her divorced mother at the latter's Walnut Hills home, Cincinnati was reported there to be out of town.

Blanche Terry, owner of a Broadway tearoom, denied Garrett and Newton are in Paris and admitted she knew their present whereabouts,

but declined to discuss the Hollywood story.

Sirena Stowe, talented race dancer and friend of Newton, was less reticent. She said:

"Newton may be in Hollywood or Chicago. All I know is he was made an offer to appear in a talkie having to do with the Ford affair. Spirits and hypnotism are to figure in it some way, but I don't know how. He never told me anything of seeking a divorce."

At the same time it was intimated in another direction that Dolores may be in Reno establishing residence, with a view to divorcing Newton. The latter is reported to have outlived his ill-starred romance with the \$20,000,000 heiress and to be planning an alliance with a girl of his own race.

Ford, who is president of the Owens-Illinois Bottle Co., a \$50,000,000 corporation, had been credited with furnishing Newton funds with which to seek a Paris divorce.

Following the brunet beauty's marriage to Newton, she achieved notoriety by dispatching a message to police headquarters which read:

"Held by gang in Harlem. Telegraph my father, William Ford, or Mary MacDowell, 150 W. 58th street. Gene Newton has me."

# Heiress to Be Given Freedom

NEW YORK, Feb. 21.—Apparently James Newton, former Harlem night club dancer, and his beautiful white wife, the former Dolores Elizabeth Ford, heiress to \$20,000,000, have come to the final parting of their ways.

Newton is said to have accepted a proposition from his father-in-law, William Ford, director of the \$50,000,000 Owens-Illinois Bottle company, by the terms of which he is to remain abroad for two years, getting a divorce from his wife during his stay abroad.

He and Garrett, a hypnotist, who figured prominently in the case when it was discovered last July that Newton and the white heiress were married, have sailed for Paris where

they are said to have opened a cabaret with \$4,000 supplied by Ford's lawyers for immediate expenses.

### Mention Settlement

Before they left Garrett and Newton are said to have agreed to these instructions:

"During these two years if you carry out the agreement, \$12,000 will be forwarded to you."

Newton is said to have accepted the offer, apparently convinced that a reconciliation with his wife is impossible, as her father, backed by his millions, has done various things to keep them apart, such as having her kidnaped and hidden on his western ranch.

In the meantime the 23-year-old blond bride of Newton is living with her mother in Cincinnati, where it is said she is virtually a prisoner.

Newton and the heiress were secretly married in 1928 after she is said to have fallen in love with him while watching his act in a Harlem cabaret. Debonair, handsome and tastefully dressed, Newton is said to have been sought after by many women of all races, but the lovely blond girl was successful in winning his love.

They were married in Newark, N. J., by Rev. L. B. Ellerson after the girl is alleged to have sworn that she was of our group. After the ceremony they are said to have returned to New York where they maintained a luxurious secret apartment where Newton lived and where his wife visited him several times a day, although she kept a suite at a downtown hotel in order to avert suspicion.

### Rivals Battle

The expose of their marriage came last July when Thomas Garrett, 33, a white Virginian, who was a professional hypnotist, and his favorite subject, Louis de Matti, 19 years old, who was also from the South, engaged in a battle of wits over Dolores Ford Newton.

It is said that Mrs. Newton had gone to Garrett for treatment to avert a nervous breakdown, and that under his hypnotic spell she told of her marriage to the Race man. Garrett fell in love with her and was trying to get her away from Newton when de Matti hove on the scene.

The young de Matti also fell violently in love with the girl and under some sort of spell he induced her to elope with him to Montreal, where the couple went broke and were forced to appeal for aid to her father after they were arrested for sleeping on a park bench by Canadian police.

### Dad Kidnaped Her

Upon their return to New York the father is said to have spirited her away hastily to his ranch in Montana, out of reach of both her white suitors and her dark husband. The girl is said to have made many attempts to escape back to her husband, only to be thwarted by henchmen of her wealthy parent.

At first Newton stated that he would fight to the last ditch to regain his wife, as he believed that she loved him and that nothing else mattered. He was harassed by pri-

ate detectives in Ford's pay who sought to entrap him in some manner so that there could be grounds for annulment of the mixed marriage.

This continued so much that Newton was forced to leave the city and hide with friends in another town. He is said to have retained an expensive legal staff in order to regain his wife, but when he learned of her elopement with de Matti his ardor is said to have cooled off.

The girl is still getting messages to him protesting her love for him in spite of everything, but Newton remained aloof, even when she was taken to Cincinnati to live with her mother.

Since last July he and Garrett have apparently become fast friends and so intermingled in the case that it was considered necessary to buy them both off.

### \$120,000 Instead of \$12,000?

Although the sum made public which has been promised Newton is said to have been only \$12,000, it is rumored that it really is 10 times that much.

"I would certainly never have considered this offer," Newton is said to have stated, "except that her actions have proved to me that she did not love me as fully as I loved her. I have undergone a great deal of humiliation and suffering as the result of our marriage, so why should I not accept a settlement from her father, since he is the cause of all the trouble?"

### ROCHESTER, N. Y.

TIMES-UNION

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### The Negro Made Him Sick

No defense can be made of the tirade in the Senate last Friday when Senator Heflin of Alabama released a blast against inter-marriage of Negroes and whites. The heated debate, mostly between Senators Heflin and Copeland, New York, was brought about by the Alabamian's desire to have read into the Record a letter denouncing former Governor Smith, Governor Roosevelt and Mayor Walker for not interfering in the marriage of Phil Edwards, Negro football captain of New York University, with a white woman.

Senator Heflin used all the old-time arguments for supremacy of the white race. He added:

New York would be a fertile field for the Ku Klux Klan. Negroes and whites are dancing together. The Senator (Copeland) ought to apologize to me and the Senate and the country and that poor white father and mother who must go down to their graves in disgrace because their daughter married a Negro and State and city officials would not answer their protests. The fact that the Catholic Church permits Negroes and whites to belong to the same Catholic Church and to go to the same Catholic schools, and sanctions marriage between whites and Negroes is largely responsible for the loose, danger-

ous and sickening conditions that exist in New York City and State today.

Replies made to Senator Heflin were, of course, ineffectual. It would be as impossible to persuade him to alter his view one iota as it would be to move the Pyramids by wishing for the spectacle. The discouraging thing is that Senator Heflin does not stand alone. We must recognize that back of him there is a small empire of men and women who think just as he thinks.

We hear it said also that the Negro is the South's problem and that she should be left to solve it in her own way. But it must be apparent to all by this time that the South unaided will never reach a solution. Least of all may she be expected to solve the problem so long as she clings to the "supremacy-of-the-white-race" idea.

Three more centuries may find one race lost in the other, or both lost in repeated bloody conflicts. But 300 years is a long time, and we must not lose sight of the immediate difficulty. We cannot muzzle a United States Senator, but we can temper our minds to withstand the aggravating injustice of Senator Heflin's onslaughts.

## VIRGINIA TAKES UP RACIAL INTEGRITY

Legislature Yields to Demand  
for Broader Definition of  
Term "Colored Persons."

### SOME INDIANS EXCEPTED

Persons of Ascertainable Negro  
Blood Included in Scope of  
New Legislation.

### By VIRGINIUS DABNEY.

Editorial Correspondence of THE NEW YORK  
TIMES.

RICHMOND, Feb. 13.—The Virginia Legislature has been considerably agitated in recent weeks over racial integrity, a problem with which it has been actively concerned since 1924, when it passed a racial integrity act, at that time the only act of its kind in the world. This measure forbids the intermarriage of Caucasians and persons having any negro blood or as much as one-sixteenth of Indian blood.

But while this law set up a barrier to the marriage of whites and persons with a single drop of negro blood, it did not change the legal definition of a "colored person."



Under an act passed prior to 1924 a "colored person" was one with one-sixteenth or more of negro blood, and this definition was permitted to remain. Since the public schools of the State are divided into two groups, one for white persons and one for colored persons, it follows that under the above definition all persons with less than one-sixteenth negro blood must attend the white schools.

#### Definition Altered.

The immediate cause of the recent agitation in the Virginia Legislature lies in the discovery that a large percentage of the pupils in some of the white schools are negroid, and the further discovery that nothing could be done about it, unless the existing definition of a "colored person" was altered. It was pointed out that unless the statute was amended these negroids would soon be seeking admittance to the institutions of higher learning in the State, and that it would be impossible to keep them from entering those institutions.

Hence a bill was introduced in both branches of the Legislature defining any person with any ascertainable negro blood as a "colored person." Before its passage by the Senate the measure was amended to except members of the Pamunkey and Mataponi tribes of Indians, who would be deemed "tribal Indians" rather than colored persons, as long as they have more than one-fourth of Indian blood and less than one-sixteenth of negro blood and are domiciled on their reservations. The House passed the bill without exceptions as to the Indians, but will probably agree to the Senate amendment.

This Indian question has given the advocates of racial integrity in Virginia more trouble than any other. Dr. W. A. Plecker, State Registrar of Vital Statistics, declares that although there are some 3,000 persons in the Commonwealth claiming to be Indians, all of them have a certain amount of negro blood in their veins and many have no Indian blood at all. On the other hand, the Indians have thousands of white friends in the State who feel that the redskins have suffered enough and that they should be left alone.

When attempts were made in 1926 and 1928 to strengthen Virginia's racial integrity law it was found that in one way or another the Indians would be adversely affected, and there was a great uproar. Similarly, the movement at the present session to change the definition of a "colored person" roused friends of the Indians, who felt that the Chickahomins and Rappahannocks, as well as various groups in Halifax, Amherst and Rockbridge Counties calling themselves Indians, should be excluded from the terms of the act, as well as the Pamunks and Mattaponis.

#### See Danger to White Civilization.

John Powell, the Richmond pianist, is chiefly responsible for the enactment of the Virginia racial integrity law of 1924. Mr. Powell, Dr. Plecker and their co-workers are convinced

that it is only through the passage of such legislation that white civilization can be saved from destruction. They have convinced a considerable number of prominent citizens of this and other States that their conclusion is sound. It is the conviction of this group that ours will ultimately become a mulatto civilization unless the mingling of white and negro races in this country is stopped at once.

In support of this argument, they point to other countries in which white and black races have lived side by side for centuries. They declare that in every such case in history the races have amalgamated and the white civilization has been destroyed. Examples cited by them include Egypt, which was peopled by a white race in her prime and whose decline dates from the period when the Pharaohs began to extend their dominions southward into negro territory; India, where the Aryan civilization of 4,000 years ago finally went under when the races mingled; and modern Mexico and South Africa and parts of South America and the West Indies, where the union of white and black races has brought about similar results.

On the other hand, many leading citizens are of the opinion that Mr. Powell and his followers have conjured up chimeras. They see no justification for the fear that the civilization of the United States is in danger from miscegenation, and believe that the agitation over racial integrity does much more harm than good, in that it arouses animosities between the races.

The advocates of racial integrity have procured the passage in Georgia and Alabama of racial integrity laws similar to that of Virginia, and are of the opinion that all the other Southern States and some of the Northern ones will ultimately fall in line. Eight States, in addition to the three mentioned, have laws forbidding intermarriage between whites and negroes, but it is not known how strictly they apply those laws or how they define the term "negro."

Eighteen States and the District of Columbia permit free intermarriage between whites and blacks. The celebrated Ford-Newton, white and black wedding, which startled the world as a sensation last fall, has come to light again with the information that Eugene Ford has succumbed to the lure of gold and that \$16,000 was the price he placed upon his love.

## INTER-RACIAL MARRIAGE HITS ROCKS, REPORTS

NEW YORK, Feb. 28.—(ANP)—

The celebrated Ford-Newton, white and black wedding, which startled the world as a sensation last fall, has come to light again with the information that Eugene Ford has succumbed to the lure of gold and that \$16,000 was the price he placed upon his love.

Two widely varying stories are circulating in New York on the affair which caused quite a discussion when it broke. One report has it that Newton accepted \$2,000 cash to go to France to live at least two years, at the end of which time he was to file for a divorce in the French

courts, following which move, the remainder of the money was to be advanced him.

The second version is that Newton is in California with his millionaire wife where they are to do a talkie based on their love affair. Just what is the real status of the case has not been learned.

At the time the news of the Newton-Ford wedding came to light, it was said that Newton married the rich white heiress while she was under influence of a magician. There was nothing ever done about the marriage as the pair were legally wed. Mrs. Ford's parents are wealthy manufacturers of ottles, residing in Cincinnati and they are very much opposed to her wedded life. It was through their influence that the marriage was broken up, or rather the present condition exists.

Newton is a well-known figure in New York's night life and for a while was an entertainer in a cabaret.

## White Girl Marries In Her Own Race After Quitting Negro

NEW YORK, N. Y.—Dolores Elizabeth Ford, white heiress to \$20,000,000, who had her marriage to Eugene Newton, cabaret entertainer, annulled in Buffalo, N. Y., on May 7, has married a white plumber, Louis Matthews, of Richmond, Va., who makes \$35 a week. This is her fourth husband. Newton is reported as having received \$12,000 in not contesting annulment action. He is now in Paris, France.

# Made New Offer by Husband's Attorneys

NEW YORK, July 11.—Alice

Jones Rhinelander, wife of Kip Rhinelander, scion of a multi-millionaire New York family, will receive more than a million dollars for freeing her husband of his matrimonial

ties, it was revealed Tuesday by her attorneys.

If Mrs. Rhinelander accepts the terms offered by her husband and his father, Commodore Rhinelander, she will be one of the richest divorcees in America. 7-12-30

The first move to end the six-year court tangles came from Kip's father, who has guaranteed the heavy monthly payments. After many conferences between attorneys for Alice, Kip and the commodore, Frank M. Gagliardi, Mrs. Rhinelander's chief counsel, left here Sunday for Las Vegas, Neb., with a copy of the settlement papers for Kip.

The husband, who has been granted a Nevada divorce, is making the western state his permanent residence. He has been made an exile from New York by his wife, who has separation action against him pending in New York courts. Alice also tied up his estate and bank accounts under a receivership pending the outcome of her case.

In exchange for the huge income which she will receive for life after Kip is given his liberty, Mrs. Rhinelander agreed to withdraw her present separation suit against her husband and her \$1,000,000 alienation of affection suit against his father. She also will relinquish the receivership of many millions of dollars of the Rhinelander holdings which she secured when the two suits were begun.

## Rhinelanders Suit Finally Settled Alice To Receive Annual Sum Of \$3,600

LAS VEGAS, Nev., July 25.—Six years of litigation between Leonard Kip Rhinelander, member of a prominent New York family, and Alice Jones Rhinelander, the octofoon, whom Kip married, ended here Thursday of last week when a property settlement was approved by Judge Edwards.

The agreement was sealed and therefore all the terms were not made public, but it was disclosed that Alice received \$31,600 outright and will be paid \$3,600 a year

alimony.

# OFAY WEDS COLORED GARDENER

Mrs. Emily Scherzel, White, of California, Marries in Brooklyn Municipal Building

NEW YORK, July 17.—Mrs. Emily Scherzel, white, an artist of Glendale, Cal., and John T. Veasy, a gardener of No. 123 West 133d street, were married Tuesday afternoon in the chapel of the Brooklyn Municipal building.

Mrs. Scherzel, a widow, gave her age as 44 and said she was born in Mexico, Mo., the daughter of Benjamin and Martha Webster. Veasy gave his age as 42.

Inquiry failed to reveal any additional information about Mrs. Scherzel or Veasy.

She is listed in the art directory and at the West 133d Street address a reporter was refused admittance.

The girl, daughter of a hack driver, also was permitted to resume her maiden name, Alice Jones. Indianapolis

By the terms of the settlement, she will drop a separate maintenance suit and an alienation of affections brought against Rhinelander's father, it was said.

Alice also will cease attacks on the Nevada divorce recently obtained by Rhinelander and will lift the receivership under which she tied up his property.



Amalgamation - 1930

New York

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## Heflin Charges On Inter-Racial Unions Assailed

### Copeland Demands Letter De- nouncing N. Y. 'Equality' Be Expunged From Record

### Alabaman Defends Views

### Declares Tammany Chiefs Permitted Marriages

From the Herald Tribune Washington Bureau  
WASHINGTON, Feb. 7.—A storm of discussion, involving the question of social equality between whites and blacks, the attitude of the Catholic Church and the relations of Tammany to the Negro question, broke out in the Senate today when Senator Royal S. Copeland, Democrat, of New York, sought to have expunged from the record a letter written by Senator J. Thomas Heflin, of Alabama.

The letter, dated October 15, 1929, was one which Senator Heflin wrote to Sam H. Reading, of Philadelphia, who asked his opinion of the marriage of "Phil Edwards, the Negro captain, of New York University, to a pure Nordic woman." In his reply Senator Heflin denounced the marriage, called it "a terrible thing" and then proceeded after a denunciation of marriages between whites and Negroes to assail Governor Franklin D. Roosevelt, Mayor "Jimmie" Walker, former Governor Alfred E. Smith, the Roman Catholic Church and Tammany.

He charged that Mr. Smith approved a "social equality" policy; said Negroes in Tammany were allowed to marry white wives "with the hearty approval of the state and city government presided over by Mr. Smith and Mayor Walker, and now by Governor Roosevelt and Mayor Walker."

Senator Heflin said he was "filled with sadness and indignation" when he read in the newspapers that the father and mother of the young woman who married Edwards could get no assistance from Governor Roosevelt or Mayor Walker or any one else in authority in their efforts to prevent the marriage.

#### Copeland Calls Letter Untrue

Senator Copeland, protesting against the language as untrue and a reflection on the people of New York, vainly endeavored to have it expunged from the record. In the end, at the suggestion of Senator Pat Harrison, Democrat, of Mississippi, the matter was referred to

a committee to be named by the Vice-President to report on whether the language was barred by the rules. Senators Heflin and Copeland would endeavor to agree on the committee.

The Alabama Senator charged that Senator Copeland would not have sought to expunge the letter had it not been for the Catholic influence, and said, with a gesture of secrecy, that it was "whispered" Senator Copeland was a candidate for President. He predicted that Senator Copeland, in view of his attempt to expunge this letter dealing with racial equality and social equality, would "get it in the neck" in the Southern states.

Senator David I. Walsh, Democrat, of Massachusetts, was drawn into the debate and entered a strenuous protest against the doctrines of race hatred, religious prejudice and sectionalism which Senator Heflin uttered.

Senator Heflin is about ready to depart for Alabama to open his campaign for re-election. It was declared here today that the effort to expunge his letter had given him just the opportunity he sought to make a speech in the Senate on his favorite themes and that he would make the most of it in the Alabama campaign.

Senator Copeland brought up the subject of the Heflin letter as a matter of personal privilege, describing it as "decidedly offensive to my state." He asked Senator Heflin to request that it be expunged, but the latter refused. Senator Simeon D. Fess, of Ohio, in the chair, ruled that the matter could be expunged on motion, but that such a motion could not come up except by unanimous consent.

Senator Heflin then leaped into the controversy and declared he was going to discuss the subject now.

#### Heflin Defends Remarks

"I resent the reflection made upon me by the Senator from New York," he declared, "I defend the letter that I wrote in response to one written to me about the disgraceful marriage of a Negro man to a white girl in New York City. It is a stench in the nostrils of decency to occur in any state in the Union. I would not defend it in my own state."

"The idea of the Senator taking the position that I cannot refer to such an obnoxious and diabolical situation because it happens to exist in a state where I have not reflected upon the people of New York State. I have reflected upon the Roman-Tammany regime of the City of New York, that has permitted this damnable thing to take place."

"I have the highest regard for a great many people who live in New York State; and I think if the people of that state had an opportunity to pass upon the question they would sustain my position on this matter that has been brought on the Senate by the Senator from New York."

#### Read Over Protest

Over the protest of Senator Copeland, Senator Heflin then had his letter read by the clerk. It follows:

"Washington, D. C., Oct. 15, 1929.  
"Mr. Sam H. Reading,  
"National News Service,  
"24 North Fifty-ninth Street,  
"Philadelphia, Pa.

"My dear sir: In reply to your own request I will say that I have read with a feeling of sadness and indignation the newspaper account of the humiliating and grief-stricken white father and mother in New York City who could get no assistance from either Governor Roosevelt or Mayor Walker or any one else in authority in their effort to prevent the marriage of their daughter to a Negro."

"The press reports tell us that the white father and mother wept freely when interviewed by the newspaper men and made no attempt to hide their tears and humiliation when New York officials issued a marriage license program and purpose of the Roman-Tammany political machine. We must stand steadfast, and we will stand steadfast, in our purpose and determination to preserve, in its integrity, race pride and purity and white man's government in the United States."

"Shame on those in authority who will permit such a humiliating, disgraceful and dangerous thing to happen in the United States. Where are the white men of self-respect, of race pride, and love of the white man's country in America whose brave forefathers long ago decreed that there should be no pollution of the blood of the white race by permitting marriage between whites and Negroes? What has become of the brave knights of the white race who once boasted of their proud Caucasian lineage? For many generations they stood guard on the dividing line between the Caucasian race and the Negro race."

"The far-reaching harm and danger to the great white race that God intended should be the result of the parent to all intelligent students of history; such mixtures always have resulted in weakening, degrading and dragging down the superior to the level of the inferior race. God had a purpose in making four separate and distinct races. The white, the red, the yellow and the black. God intended that each of the four races should preserve its blood free from mixture with other races and preserve race integrity and prove itself true to the purpose that God had in mind for each of them when he brought them into being."

#### Denounces Inter-Marriage

"The great white race is the climax and crowning glory of God's creation. God in his infinite wisdom has clothed the white man with the elements and the fitness of dominion and rulership and the history of the human race shows that wherever he has planted his foot and unfurled the flag of his authority he has continued to rule. No true member of the great white race in America is going to approve or permit, if he can prevent it, the marriage between whites and Negroes."

"This desire and purpose on the part of the great white race in America to keep its blood strain pure and to prevent marriage between whites and Negroes can better be designated as the 'call of the blood.' It has come down to us through centuries. White women rather than become the wives of black men, whenever the issue was presented fought and died, if necessary to remain true to the 'call of the blood.' But it seems that in New York, under alien influence, the line of demarcation between the great white race and the Negro race, the 'great divide,' that once constituted the 'dead line' in

America on questions of social equality and marriage between whites and Negroes, has been repudiated by those of the Roman-Tammany regime now in charge of New York City and New York State. These officials owe it to the great white race in the State of New York and in the United States to protect, safeguard and preserve in their integrity these principles and ideals so dear to the great white race in America."

#### Warns of Dangers

"The time has come for all true Americans of the Caucasian race to wake up to the dangers that threaten us. There can be no yielding on this great question in order to serve the program and purpose of the Roman-Tammany political machine. We must stand steadfast, and we will stand steadfast, in our purpose and determination to preserve, in its integrity, race pride and purity and white man's government in the United States."

"I regret to say that the present disgusting and deplorable situation in New York State, which permitted a white father and mother to be subjected to the humiliating and shameful ordeal of having to submit to the marriage of their daughter to a Negro, is not new under the modern Roman-Tammany system in New York City and State. Scores of Negroes in Harlem, New York, members of the so-called Democratic Tammany organization, have been permitted to marry white wives with the approval of the state and city government presided over by Governor Smith and Jimmie Walker, and now by Governor Franklin Roosevelt and Jimmie Walker. These things are shocking, disgusting and sickening, not only to the Democrats, but to the true representatives of the great white race in all parties, the country over."

"The fact that the Roman Catholic Church permits Negroes and whites to belong to the same Catholic church and to go to the same Catholic schools and permits and sanctions the marriage between whites and Negroes in the United States is largely responsible for the loose, dangerous and sickening conditions that exist in New York City and state today and the all-important question of preserving the integrity of our race and white supremacy in the United States."

"My knowledge of this open and notorious social equality policy, this terrible system in New York State, permitted and approved by Governor Smith, was one of the things that made it impossible for me to support him for President in 1928. Many states in the Union have laws which forbid marriage between whites and Negroes; all of the states should have, and some day will have such laws. I understand that New York would have had such a law but for the opposition of Governor Smith and his Tammany friends in the Legislature. Alabama has such a law and I helped to put it in the constitution of that state in 1901."

"The newspapers were full of it, and if the Governor of New York can not stop long enough to pay attention to the cry of a stricken white family in their grief, distress and disgrace, to lend a listening ear and to extend a helping hand, ah, Mr. President, we have reached a sad and sorry place in our political system."

"The newspapers were full of this horrible thing. I had sent to me probably two dozen clippings out of

New York papers regarding it, and the papers were full of it, and now the Senator defends this political system. He is not defending New York State. He says I have reflected on the state. He is defending 'Alfred the Anointed' and Jimmie Walker, the Mayor, one of his sideliights, and Franklin Roosevelt a fond disciple."

#### Copeland Challenges Story

Challenging its truth, Senator Copeland said:

"The Senator from Alabama and every Senator in this body knows that Governor Smith and Jimmie Walker and Franklin Roosevelt never knew anything about this at all, and I say it is a shame to think that it is possible to insert in the record, to be read by the people of this country, a statement which carries the implication, if not the direct words, that all these things which we all stand against, had the approval of great, outstanding men in my state, and that the Governor of my state is a party to it. The Senator from Alabama, if he will stop and consider, will realize that he has made a statement far beyond the possibility of proof."

An impassioned speech by Senator Walsh, of Massachusetts, closed the debate. "I want to protest against the attack upon all religion and upon all city and state governments in the United States as contained in this letter," he said. "In every state university except in Southern states, in every public school in America colored children are received on an equal basis with white children. Every Protestant church in New England, in New York, in Wisconsin, in California and in nearly all of the states of the Union receive on an equal basis the colored people with white people in the worship of God. The sooner we forget sectionalism and religious prejudice and race hatred the better for our government."

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### Copeland Resents Slur By Heflin on New York.

WASHINGTON, Feb. 8.—Senator Copeland, of New York, clashed with Senator Heflin, of Alabama, in an effort to have expunged from the Record a denunciation of mixed marriages in New York.

Heflin branded as "disgraceful" the marriage of Phil Edwards, N. Y. U. negro football star, and a white girl. He criticized former Governor Alfred Smith, Mayor Walker and Governor Roosevelt for permitting in that State marriages between negroes and whites.



Senator Copeland.

Copeland protested that remarks by Heflin, published in the Congressional Record, were "extremely offensive" to New York State. A committee is to study the matter.



# WHITE GIRL, 16, DECLARES LOVE FOR COLORED YOUTH

## Pretty N Y Lassie Says She Loves Boy With White Mother, Colored Father

NEW YORK.—“But I love Johnny, and I’ll never love anybody else,” declared pretty Lillian Pristop, 16-year-old white girl, when her mother locked her up and declared that she would shoot Johnny Stokes, 23-year-old fur worker.

“I’ll shoot him,” declared Mrs. Bessie Pristop in her home at 421 Fifth street, Union City, N.J., yesterday. “And I’ll put my girl in an asylum. There’ll be no colored grandchildren in our family.”

Then she turned threateningly on her daughter, an exceptionally pretty bobbed-haired blonde, dressed in purple, who sat imprisoned in a corner of the parlor.

“And as for you, young lady,” she continued, “you’ll not leave this house again until we move out of the neighborhood.”

### Met at Fur Shop

The girl and Stokes, who is 23, and more than six feet in height, first met a year ago when they worked together in a Jersey City fur establishment. His home is in the next block, at 525 Fifth street, where he lives with his white mother and colored father, and they held a series of secret meetings until Monday.

Then Stokes, a mulatto so lightly colored as to make it scarcely perceptible, came to the Pristop home and asked her mother if he could make her his wife.

“I threw him out and told him I’d shoot him if he came around here again,” the mother declared.

### Got Marriage License

On Tuesday the young couple went secretly before Registrar Eppie A. Burggraf in Union City and obtained a marriage license, announcing that they would be married Saturday. Word of their action traveled quickly back to the Pristop home.

Mrs. Pristop immediately investigated and then demanded that the ceremony be stopped on the grounds that her daughter had falsified in claiming she was 19. She then corralled the pretty Lillian and imprisoned her in the parlor.

“If you want to get married,” she scolded the girl. “why don’t

you marry a white boy?”

Earns \$125 a Week

“But I love Johnny, and I’ll never love anybody else,” the latter answered. “Besides, there’s no white boy I know who earns as much money as Johnny does. He is an expert furrier and gets \$125 a week.”

“I’d rather see you starve to death,” declared her mother.

Mrs. Pristop announced she would give up the Union City home at once and move back to Brooklyn, where the family formerly lived. Stokes was at his home, but refused to be interviewed.

Another miscegenation case attracted wide attention last fall when Edith Oedelschoff, 19-year-old daughter of Julius Oedelschoff, 482 Park avenue, Weehawken, was married to Phil Edwards, New York University star.

## White Wife Shoots

### Husband to Death

Saratoga Springs, N. Y.—A white woman, Mrs. Helen Abernathy of Chicago, is in jail accused of killing her husband, William, a Negro. She was arraigned Monday on a charge of second degree murder, N.Y.

Mrs. Abernathy told police she had been supporting her husband for some time and that recently he complained that she was earning too little. When she reached their rooming house Sunday morning, she said Abernathy took the money from her and began to abuse her. She packed her bags and left. Abernathy pursued and she shot him, she said. He died soon after.

## REDS ARE BLAMED

### FOR MARRIAGE OF

### WHITE HEIRESS

### OF BALTIMORE, MD.

CHICAGO.—Communism is blamed for the marriage of Dolores Ford, beautiful young white pop bottle heiress, to Eugene Newton, jazz dancer, by Col. Edwin M. Hadley, white, author of the novel Sinister Shadows, who spoke before the Chicago chapter of the Daughters of the American Revolution.

He declared the marriage was an insidious plot hatched by Soviet Russia to warp the moral standards of sons and daughters of the rich, bringing about a general decline so as to establish a bond of sympathy

with anarchistic ideas of communism. 1890 Seventh avenue, with Miss Josephine Morine, 35, 257 West 111th street, on January 3. Rodriguez is a native of Porto Rico and is employed here as a mechanic. His bride, a cigar binder, though born in New York City is the daughter of Cuban parents.

The marriage of the \$20,000,000 heiress which subsequently went on the rocks was the direct result of ideas which the girl learned while attending exclusive Smith College in the east, Col. Hadley declared.

“Prof. Frank Hankins at Smith College sent out a questionnaire upon which appeared these questions discussed by young girls: ‘Do you prefer marriage without children or do you prefer children without marriage?’” Col. Hadley said.

### Crossing the Line

“This is the same instructor who stated in his book: ‘It seems that large numbers of mulattos latterly have crossed the line into white stock. One cannot see where there should be the slightest objection to this from the standpoint of race biology.’”

“Such ideas are broadcast to boys and girls of high school age by certain professors as part of the propaganda campaign of Soviet Russia in order to lower the moral standards in this country.”

“Students in Chicago are recruited for so-called ‘reconciliation’ trips, evidently under the sanction of the university authorities. These mixed groups of 18- and 20-year-old boys and girls are fed at Negro clubs, communist kitchens, and haunts of what the prospectus of the trip calls ‘the socially maladjusted,’ or, in plain language, degenerates.”

### Chi Club Members Arrested

Col. Hadley is not alone in his views, it seems. This week there was evidence that certain policemen in the city have the same ideas. Members of the Seven Arts Club, a liberal organization which entertains colored guests, had adjourned their last meeting for a tour of the colored district. When the white men and women were observed by policemen looking for the number of a certain house, they were immediately arrested on the assumption that they were suspicious characters. All were dismissed the following day in court.

## 2 WHITE MEN CHOOSE COLORED WOMEN FOR BRIDES IN NEW YORK

NEW YORK CITY, Dec. 24.—

Although many colored men have been married to white women within the past few years, the reverse in which white men choose brides from the colored race is not usually heard of. However two such unions are reported here.

Miss Julia Elizabeth Harvey, 41, who lives at 63 West 139th street, became the wife of Hans Olson, 47, white, of 6 East 117th street, on Friday. Miss Harvey, who is a cook, was born in St. Kitts, B. W. I. Olson came to this country from Copenhagen, Denmark. 12-28-30  
Gonzalo Rodriguez, 40, white



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North Carolina

## CAROLINA SEPARATES GIRL AND HUSBAND

White Wife, 20, sees Colored  
Spouse Sent to Prison.

4-12-30

BRIDE TAKEN HOME.

Only One is Found Guilty of  
Adultery.

DANBURY, N.C.—It takes  
two persons to commit adul-  
tery, but a Stokes county  
judge found only a colored  
man guilty of this charge last  
week and sentenced him to  
jail for eighteen months.

His alleged white bride, Adeline  
Tilly, 20, was sent back home to her  
father following her acquittal on the  
same charges of fornication and ad-  
ultery.

The couple had been going together  
for some time. Last year the hus-  
band, William Duggins, whom local  
folk here call an "almost white man,"  
because his curly hair alone indicates  
that he has one or two drops of col-  
ored blood, took Adeline in his motor  
car and headed for Virginia to marry  
her when he was overtaken by a pur-  
suing car in which rode the girl's  
uncle, Gideon Yates.

At that time Adeline was taken  
back to her home.

At that time Duggins stated openly  
that he was going to have the girl.  
The father declared that she is weak-  
minded, the daughter of a mother  
who is now in the insane asylum and  
the girl's grandmother died in an in-  
sane asylum.

According to the father, he for-  
bade Duggins to keep company with  
his daughter and as a result she ran  
away to the home of some of her  
relatives where she was allowed to  
see him.

Duggins, on the witness stand, said  
he and his bride ran away to South  
Carolina early this year but they could  
not tell the town in which they were  
married nor did they have a marriage  
certificate.

Duggins was without counsel and  
was easily tangled by the opposing  
lawyers and other witnesses.

### Both Ignorant

Duggins declared he had never  
been to school and denied that he  
had been refused permission to at-  
tend white schools.

Persons in the community declare  
he is a grandson of a colored man  
and a white woman.

Duggins, himself, said he doesn't

know of his parentage.

Adeline is also illiterate, during  
her life time having attended school  
for only a few months.

The frail bride hung carefully onto  
the arms of her husband until he was  
led out to prison. She is expected to  
become a mother soon.

## SOLDIER OF 1776

## WED CAROLINA COLORED GIRL

*White Soldier of General Corn-  
wallis's Army Drank Some  
of His Colored Sweetheart's  
Blood Before Marriage in  
Order to be Able to Marry  
Her Legally.*

By JOSEPH SEWELL  
in Raleigh (N.C.) Observer.

Joseph Butler (white), a member  
of Cornwallis's army, was severely  
wounded in the battle of Guilford  
March 15, 1781.

In Cornwallis's retreat toward  
Eastern North Carolina Butler be-  
came a straggler and was lost from  
the English army. He was secured  
by a free mulatto woman, who hid  
him in her home until the surrender  
of the English army the following  
October.

During Butler's confinement he  
was faithfully nursed by the daugh-  
ter of his benefactress, who was  
nearly white, and there grew be-  
tween them a mutual affection. It  
was Butler's ardent desire to marry  
the young woman and he was great-  
ly distressed upon realizing that, un-  
der the laws of North Carolina, to  
wed the woman was impossible—she  
had Negro blood in her, and Butler  
was a full-blooded white man.

### Hide in the Home of His Sweetheart

Butler remained at the home of his  
sweetheart in an unfrequented part  
of the country, and cultivated the  
small farm where he lived—isolated  
and ignored, an alien enemy, a fu-  
gitive hiding under a Negro's roof.  
He finally conceived and immediately  
acted upon a plan to thwart the law,  
which forbade him marrying the  
woman he loved.

In those times the "letting of  
blood" was regarded almost as a  
panacea in the treatment of all bodily  
ailments. The mulatto girl was, for  
some physical disorder, bled by a  
surgeon.

Her sympathizing lover was at  
hand during the operation, and to  
the astonishment of the surgeon, de-  
liberately drank an appreciable por-  
tion of the patient's blood.

He immediately departed and  
upon his return exhibited a dulc au-

thenticated license to wed his mulat-  
to sweetheart. He had gone to the  
proper official, made affidavit that  
he had Negro blood in him, and had  
procured a license to marry a half-  
blooded Negro woman.

### Son of Couple Still Living

Rev. John J. Young, 78, Baptist  
minister, now living, is the son of  
this colored girl and the English  
soldier. His grand-father, Thomas  
Blacknall, had this interesting his-  
tory:

Thomas Blacknall was born in  
Granville County, North Carolina,  
considerably over a century ago, as  
the chattel of John Blacknall, a typi-  
cal slave owner of the South. Tom  
Blacknall was not only a remarkable  
Negro, he was a remarkable man.

Under apprenticeship provided by  
his master, Tom became a black-  
smith and bell maker of more than  
local renown. He was permitted to  
keep his earnings and "buy his time."

It is history in the Blacknall fam-  
ily that he was absent from home at  
intervals of a year without inter-  
mission, and that, with his master's  
permission Tom went away as far  
as Baltimore, peddling his bells and  
plying his trade.

Tom Blacknall, the slave, was per-  
mitted to save his earnings and buy  
his freedom. The price paid for his  
freedom was \$900. He afterwards  
purchased the freedom of his wife  
and his three sons, taking title to all  
of his ransomed family in himself.

He afterwards purchased three ad-  
ditional slaves. Had Blacknall's wife  
given birth to other children, which  
does not seem to have occurred, such  
children would have been chattels of  
their father. Blacknall's first wife  
died in de facto serfdom to her hus-  
band, and he afterwards married a  
free Negro.

### Wives Owned Their Husbands

He died in 1863 and by the terms  
of his will his three sons passed to  
the ownership of their respective  
wives who were free Negro women.  
Evidently he believed in reciprocity  
in the marital relation. His first wife  
had been his de facto slave and he  
made his sons, who were also his  
slaves, the slaves of their wives.

Another astounding thing about  
Tom Blacknall is that he was a Ne-  
gro deacon in a white Presbyterian  
church.

This, and the fact that he fre-  
quently led the white congregations  
in prayer, are established to my en-  
tire satisfaction.

I have freely conversed with very  
old white people of the highest ve-  
racity and of pronounced mentality,  
who, as restive children, heard but  
did not attentively listen to, the pro-  
lix implorations of black Tom Black-  
nall, fervently poured forth in the  
midst of white congregations in a  
white Presbyterian church.

## Carolina White Man Shot In Fight Over Colored Woman

10-20-30

CHARLOTTE, N. C.—August  
Spratt is dead, and a white man,  
whose name was refused the As-  
sociated Negro Press representative  
by local police, has a wound in the  
head from a gunshot, both were  
inflicted by a colored man, Oscar  
Jessie, who made his escape, after  
the crime had been committed at  
703 South Caldwell street.

The shooting took place near four  
o'clock, when Jessie surprised the  
white man and Spratt, at the house  
which was occupied by Lenora Cun-  
ningham, and Rhea, her sister, both  
of whom were taken into custody  
by detectives who came to the scene.  
The men were in the habit of going  
to the house to hold liquor parties,  
according to close neighbors, and  
it is understood that Spratt and Le-  
nora Cunningham were man and  
wife, but had been separated for  
nearly four years. It is also under-  
stood that police found a quart of  
whiskey at the house.

Jessie and the white man were  
buddies in the consorting, and it  
was learned that they had disagreed  
a few days before the affair, and  
Jessie had warned the white man to  
stay away from the colored women.  
Rumor had it that the white man  
was attempting to get Spratt to put  
Jessie out of the way. However,  
Jessie surprised the two of them at  
the house with the women, and se-  
curing a .38 calibre pistol, he shot  
them; it is believed that Spratt met  
his injury trying to separate the  
other two men. Jessie fled before  
police arrived on the scene. The  
white man was heard by spectators  
to say that he did not wish to pros-  
ecute anyone, as it was an accident.  
He was arrested. One of the wo-  
men was partly undressed. The  
shooting was the climax of the con-  
sorting, which, neighbors of the  
women say, had been going on for  
seven or eight months, with the



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Ohio.

# WHITE MOTHER, FEARING HUBBY, KILLS 7 KIDDIES

bodies where they had been killed, she turned the weapon upon herself.

At the Mt. Carmel Hospital, where she is being nursed by the older daughter, who is employed there, Mrs. Yelden, is suffering from a flesh wound from which physicians say she will soon recover. She has been arraigned on a charge of first degree murder.

## Seven White Hearses

Seven white hearses bore the slaughtered children to the cemetery attended by three mourners, their half sister and brothers, whose absence from the home probably saved them from a similar fate.

Her Testimony Sent him  
to the Pen Three Years

Ago

*ifio American*  
PAROLE COMING

5-17-30

7 Hearses Bear Corpses  
*Baltimore Md.*  
to Graves

COLUMBUS, Ohio.— Fearing that her husband, who was scheduled to be paroled, against whom she had testified before his imprisonment in the Ohio State penitentiary, would come home and do her harm, Mrs. Ethel Yelden, white, killed seven children and turned the weapon upon herself, here last Tuesday.

Darby Yelden, the husband, whom Mrs. Yelden said she thought an Indian when they were married several years ago, was sent to prison on a charge of criminal relations with Mildred, daughter of Mrs. Yelden by a former marriage.

## Found Colored

Mrs. Yelden told friends that she did not know that Yelden was colored until after he had been sentenced to a term in prison. At that time, she said, she had borne him six children, and in addition her daughter, Mildred, had borne him a child, which she had adopted.

## Describes Killings

On Tuesday, it is said, Mrs. Yelden took all of the children to a photographer where she had their pictures made. Then sending them out on separate errands she went about the task of killing them.

First, she shot the babies, Alice, 3, which belonged to her and Allen (Mildred's child). Darby, Jr., 7; Eleanor, 9, and Elaine, 10, were then shot in turn. Then came Bryon, 8, and the oldest son, Eldon.

After washing the four youngest and dressing them she placed them on a bed. Leaving the other lifeless



# Child Without a Race Is Problem for Bellefonte

Golden Haired Louise Gheritty Don't Know Whether She is White or Colored.

By FAITH WOODSON

BELLEfonte, Pa.—“The Man Without a Country” was one to be pitied, but his case could hardly call for more sympathy than that of little 5-year-old Louise Gheritty here, who doesn't know to what race she belongs.

“Lady, ain't she a little colored girl?” a dozen little white children asked me as I passed by a group of them, in the center of which was Louise.

Looking at the tiny subject of their discussion I saw a beautiful golden brown child with brown, curly, bobbed hair and big, black eyes. She was unmistakably colored.

“I'm white,” she confided in me, “and I live over there on Penn Street. But these kids say I'm colored. Am I?”

But not caring to prolong the heated argument, I said I didn't know, and passed on.

## Color a Mystery

Investigation proved, however, that the child's mother, her so-called father and her brothers are white.

Where her color comes from is somewhat of a mystery. Gossip says various things, but no one is really sure of anything.

Therefore, because of this mystery, this little kiddie's life is a hard one. The other race won't accept her, and she can't understand it.

They play very peacefully with the colored children on the street, but when Louise appears, she is told to run along home. And if there are no colored children out, the term “nigger” is hurled at her.

But does her little heart pine? Never. She just clings to the people to whom she rightfully belongs—the colored people. And almost all of her time is spent at their homes. In fact, this feeling of “kind” is so strong in the little mite that her mother has to find her every evening to put her to bed.

So the one who sometimes thinks it's hard to be colored, ought to think of Little Louise's condition.

## Husband, Negro Wife, Seek A

## Quick Divorce

PHILADELPHIA, August 1.—(Special)—A married life of two weeks, during which time the wife was busy excavating birth statistics and the like, was scheduled to be shortly terminated forever, when a Master's report was filed in Common Pleas Court, recommending that Beatrice M. Ingham White, 22, white, be given a divorce from H. Harry White, 6627 Blakemore St., who is alleged to have concealed his identity while wooing the white girl.

It was but two weeks after their marriage, last Christmas Eve., that the girl found out that her husband, whose people live at 1921 North Twentieth street, was slated as a Negro in the birth records, and proceeded to leave him immediately.

When confronted with the knowledge that she had found out about his racial identity, the husband is said to have admitted that he was a Negro, and that only his very ardent love had made him conceal the fact.

The bride of the ill fated marriage is a graduate nurse.

## White Not White;

## Wife Gets Decree

PHILADELPHIA, Sept. 8 (ANP)—A final decree of divorce was granted to Mrs. Beatrice Ingham, white, a graduate nurse of the Stetson Hospital, in Court of Common Pleas No. 3, from Harry H. White, who, she declares, is a colored man and deceived her into marrying him.

## Divorce Granted Philadelphia Nurse Who Claimed

## She Was Deceived

PHILADELPHIA, Sept. 8 (ANP)—

The woman, who is twenty-two years old, met White, who is “fair enough to pass,” and, after a brief

courtship, they became engaged and were married on Dec. 24, last. She claims that she was happy with her husband for about two weeks, after which time information (which she refused to believe) came to her that she had married a colored man.

Subsequently, she is said to have produced Mr. White's birth certificate, which proved conclusively that he is colored. White made affidavit that he was a white man when applying for the license. Mrs. White instituted proceedings.

The bride's parents are quoted as saying: “We are all good friends.” I cautioned my daughter against marrying in haste, but White was an awful nice fellow. He confessed to her that he was colored after she confronted him with the facts—he had deceived her because he loved her so dearly.”



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Pennsylvania.

## White Girl Married to Race Youth

LANCASTER, Pa., April 25.—Willard C. Temple, 25,\* of our group, and Miss Margaret H. Drake, 24, a stenographer, were married here Wednesday by Rev. Maris F. Matthews, pastor of Ebenezer Baptist church. The couple had secured a marriage license *defender* *26-30*

White papers in mentioning the facts of the intermarriage dug up the fact that Temple had been arrested a year previously for drawing a knife on a taxi driver and that Miss Drake had testified in his behalf at that time. She later lost her job in the state health department because of her aid to Temple.

Last week Temple was arrested for repairing Miss Drake's automobile in front of his home, apparently because police were angry at the fact that he and the white girl were to be married.



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RICHMOND, VA

TIMES-DISPATCH

JAN 27 1930

## Reason Should Rule

THE sentimental appeal of the few remnants in Virginia of once great Indian tribes cannot be questioned, and those who grow lachrymose over the present plight of the redskins are not to be ridiculed. It is truly affecting to witness the disintegration of a great man, a great family or a great race. But all our tears and all our protestations cannot postpone or affect the inevitable.

In the instant case the Virginia General Assembly is being asked to assume a divine role and correct by statute the lamentable biological fact that a considerable infusion of Negro blood is present in the tribes which remain in the Old Dominion. Of course the law does not say that this is to be done—the proposed bill merely gives Indians the right to go to court to prove that they are Indians—but the men who are to vote on this bill almost without an exception know that the individuals affected are Negroid.

Before the same Legislature is a bill defining a colored person as one having any ascertainable degree of Negro blood. No so-called Indian could object to this bill, and there is apparently no reason for any additional legislation designed to fix the racial status of any Virginian, whether he consider himself white black or red.

With each General Assembly this "problem" comes to life. The "Indians" come up in their tribal regalia, assume for the moment the traditional mannerisms of the aborigine, and maudlin appeals are made to brush aside all considerations other than mercy in dealing with the few hundred who hunger to be absolved by law from the indiscretions of their ancestors. It is affecting, we repeat, but if the General Assembly wishes to encourage obvious attempts to break down the color line in Virginia, then it should do so with its eyes open.

## One Drop of Blood

What do Southern white people talk about? Well, maybe servants could tell you, but the well trained servitor permits all conversation to go in one ear and out the other.

Very fair colored people can tell you and their stories are eye openers.

Mrs. M. always hates to travel in the South. On the trains and in the white hotels she is sure to meet fellow travellers whose entire conversation is about "niggers."

Rev. B. was a white congregational minister in Chicago. He succeeded and enjoyed his work until a white Southern preacher in a meeting of ministers maligned the "nigger." Rev. B's defense was an epic. Now he's selling insurance.

Three brothers are making good as white men in New York. One is a \$10,000 official of the Interurban. His son married a Georgia white girl, and Mr. A. at their insistence went South last year to visit his in-laws. He did not stay long. There was too much family talk about "niggers." A reader recently wrote to the AFRO that he had been white for thirty-five years and if he were to tell his wife and children about it, they wouldn't believe it.

One Drop (John) Powell, white Richmond pianist, who is backing the Virginia law to have legally declared to be "colored" every person with one drop of colored blood, smiles as he talks of uncovering 20,000 prominent Virginians who had colored blood. The list includes presidents, governors, senators, congressmen and what have you.

Their experiences in the South must have been illuminating. So are the experiences of others today who have a few drops of colored blood.

Will readers of the AFRO who have had experiences like those mentioned above, tell the rest of us about them.

Virginia

# NEW RACIAL INTEGRITY BILL MAKES WHITE BLACK, BLACK RED.

RICHMOND, Va., Jan. 30—(CNS)

Will Virginia adopt legislation which makes white persons with one drop of Negro blood "colored," persons with one-sixteenth Indian blood "white," and Negroes with one-fourth Indian blood "Indians?"

This is the situation which faces the State Senate of Virginia, with the introductions of the fourth racial integrity bill at the current session of the General Assembly, which was offered in the Senate by Senators Montague and Wickham. It amends Section 5099 of the Code to provide that "the intermarriage of American Indians and white persons is hereby prohibited."

Senator Montague explained that under this amendment an Indian would be deemed to be anyone with one-fourth or more Indian blood, this being the definition contained in Section 76 of the Code.

This conflicts with a bill introduced early in the session with Senators Balls, Buchanan, Easley, Layman, Warren, Morris, Holladay Jeffreys and Noell as sponsors and which defines any person with a drop of Negro blood as a "colored person."

John Powell, Richmond pianist, and other sponsors contend that virtually all of the Virginia Indians have an ascertainable trace of Negro blood and hence are "colored persons" rather than Indians. They refuse to admit the inconsistency of their arguments to see that the two bills are in conflict.

"I am in favor of the Ball bill because it would prevent Negroids from attending white schools," said Powell.

The bills will all be bitterly fought at the hearings, it is understood. The executive committee of the Dover Baptist Association, white, is prepared to oppose the legal classification as a Negro of persons in whose veins flow an "ascertainable amount of Negro blood," it was announced

by the Rev. Thorburn Clark, clerk of the committee.

"We're fighting to keep the Indians from being robbed of their classification as an Indian," Mr. Clark said.

"Under one of the bills now before the Assembly a burden would be thrown on any person who had an ascertainable amount of Negro blood in him of proving that he was not a Negro.

"But we are generally opposed to the classification of Indians as Negroes," he said. "As to the school problem, we believe in leaving that up to the local communities."

The present racial integrity bill in Virginia provides that: "The term 'white persons' shall apply only to those persons who have no trace, whatsoever, other than Caucasian; but persons who have one-sixteenth or less of the blood of the American Indian and have no other non-Caucasian blood shall be deemed to be white persons."

The new bill defining as "colored" any person with one drop of colored blood would make practically all Indians and most of the white people of Virginia Negroes.

## VIRGINIA RACIAL INTEGRITY BILL PASSES HOUSE

Richmond, Va., Feb. 12—The racial integrity bill which defines as a "colored person" anyone having "any ascertainable amount of Negro blood" passed the lower house of the legislature yesterday without being further discussed. A lengthy committee hearing and extended argument on the floor preceded the advancement of the bill to its third reading.

Opposition to the bill was voiced by a group of American Indians who held that its passage would automatically give a number of them the racial status of Negroes. As a concession to this opposition an amendment was added which permits Indians who may have a trace of Negro blood to retain

their status as Indians as long as they remain on the reservations, but classifies them as Negroes immediately they take up residence elsewhere in the community.

The measure is designed to supersede an earlier law which classified persons having one-sixteenth or less of Negro blood as white. This earlier law had already been made inoperative in relation to intermarriage by a more recently enacted statute which defined for the purpose of marriage any person having "any ascertainable amount of Negro blood" as a member of the Negro race, and thus forbade him to enter into the marital relation with any Caucasian.

Because "white people don't want them and Negroes probably won't have them," those persons, especially children, who have Negro blood, but to an extent less than one-sixteenth, will have to have separate schools, it was predicted by a white man who expressed his belief in a letter to a Richmond paper. This would add to the State's present load of a dual school system, the added burden of a triple system.

The bill came in for extended debate in the Senate, when Senator Hill Montague, of Richmond, offered an amendment that would have added to the group that might have had Negro blood and still retained their identity as Indians—the Chickahomnies of Charles City and New Kent counties. The amendment was voted down and the bill, which would define any person that had an ascertainable trace of Negro blood as a colored person, with the provision that any person having as much as one-fourth of American Indian blood and less than one-sixteenth Negro blood might be called "tribal Indians" as long as they remained on their reservation.

This bill is designed to allow the Pamunks and Mattiponis, which have reservation in Virginia, to retain their racial identity, and Senator Montague's amendment, on which he spoke at great length, would have given the Chickahomnies, who have no reservation, the same right. Senator James S. Easley of Halifax, one of the patrons of the measure, said the Chickahomnies were not Indians and had not claimed to be such until some thirty years ago, when they called themselves such to evade provisions of the Jim Crow law. Senator Wickham spoke against the bill, and Senator Lloyd E. Warren, of Portsmouth, pleaded for its passage. The amendment was voted down and the bill was advanced to its third reading.



## Virginia's 1930 Edition Of Racial Integrity

THE 1930 edition of Virginia's racial integrity bill—let it be remembered there have been recurring editions for many bienniums back—takes its place, as its predecessors, as a piece of innocuous political and legislative meddling into a weighty biological question, which if enacted into law will, like similar laws, create a larger social problem than it seeks to cure. In short, this bill seeks to wipe out the "one-sixteenth or less" Negro blood a person may have, if he has no other non-Caucasian blood, and still be legally classified as white, except for marriage purpose; and to substitute the classification as a white person one having "no trace" of Negro blood as defined in the anti-intermarriage law. In fact the bill is designed to make the "no trace of Negro blood" provision applicable to school attendance as well as to intermarriage.

A group of Virginia Indians are protesting against the measure on the grounds that its enactment would automatically cause a number of them to revert to the racial status of Negroes. The anti-marriage law makes an exception for Indian blood by classifying as white all persons having one-sixteenth or less of the blood of the Indian and no other non-Caucasian blood.

But while the Negroes of Virginia are only passively interested in this legislative doldrum, they are at times amused at the antics thrown by the American Indian whenever there is an intimation that he may be classified as a Negro. If the Indian dreads the racial status of Negroes, he dreads it no less than the Negroes would be affronted at having him cast upon them as a co-racialist. If the Indian has not already advanced too far toward mental and physical decadence to understand, he will probably be surprised to learn that the Sons of Africa regard themselves as a vigorous and up-coming race, assimilating modern civilization and culture, while they look upon him with pity as a dead and dying race and would prefer none of him as a racial fellow. If he prefers the status of white when divested of his tribal status, let him have it. That race is doubtless better able to carry a dying appendage than the Negro. About the only Negro ever heard to boast of his Indian extraction was one who gloated over his traits of cunning and mischief for which he held his Indian blood responsible.

But what about the merits of the bill itself? Traced to its logical end it comes up against a pathetic and rather tragic impasse, which will in reality constitute a defeat of its own purpose. For instance, if a person having only a trace of Negro blood is defined by fiat as a Negro in the face of all his nominally Caucasian instincts, associations, heritage, passions and emotions—in short, against his very nature itself—here is created a problem the ramifications of which are pathetic and delicate to contemplate. He is nominally white, biologically mixed and legally Negro. Barred from intermarriage with the whites where his natural choice would be expected to be white persons. Later only persons less than one-eighth and in which in a generation or two his "trace" eighth Negro, and still later, only persons less

than one-sixteenth Negro, were classified as legislation.tainable minimum, his most natural and very white. This was the dividing line until early in the present decade when the revived and intensified racial integrity movement led to the enactment of a law prohibiting the marriage of a white person with any person not white, a white person being defined as one who has "no trace whatever" of any but Caucasian blood save that "persons who have one-sixteenth or less of the blood of the American Indian and have no other non-Caucasian blood shall be deemed to be white persons."

The present bill undertakes to abolish the one-sixteenth deadline that still applies to school attendance, and to make the separation as complete in schools as in marriage. But the measure has aroused the bitter opposition of the Pamunkey and Mattaponi Indian tribes many of whose members have negroid traces. Under the old laws these Indians had established a legal Indian status. Under the new law, the Indian charge, many of them would be divested of their long-held Indian status and classified as Negroes, while many Indians having only a white admixture would be subjected to the burden of proving that they have no "ascertainable" trace of Negro blood in order to retain their Indian status. To meet this objection the patrons of the measure have agreed to an amendment providing that members of the Indian tribes "having one-fourth or more of Indian blood, and less than one-sixteenth of Negro blood shall be deemed tribal Indians so long as they continue to live on said reservations." When they leave these reservations, one infers, they will cease to be tribal Indians and ipso facto become "colored" persons.

If the new law is passed we shall have statutes declaring (1) that any apparently white person with an ascertainable trace of Negro blood, however slight, is a "colored" person, (2) that any white person who has one-sixteenth or less of Indian blood and no other non-Caucasian blood, is a white person and (3) that a person who is one-fourth or more Indian and less than one-sixteenth Negro, is an Indian as long as he lives on a reservation, but a Negro if he breaks bounds. This is the tragic mess that makes up the racial integrity puzzle.

But the ways in which racial integrity laws defeat themselves might be outlined interminably. Miscegenation is simply one of those problems that are not amenable to negative legislation. Affirmative legislation would prove far more effective—legislation that affirmed the principle that none shall be shielded from the responsibility of their moral lapses by the color of their skin; that every father shall be legally bound either to give his offspring an honorable name or physical support or both, would deal miscegenation its most telling blow.

**VIRGINIAN-PILOT**  
NORFOLK, VA.

FEB 5 - 1930  
**The Racial Integrity Puzzle**

No recent Virginia Legislature has been without its season of fireworks over racial integrity, and the present one is no exception. The issue this year was precipitated by a bill introduced by Senator Ball and eight copatrons providing that "any person in whom there is ascertainable any Negro blood shall be deemed and taken to be a colored person." The object of the bill is to apply to school attendance the same racial restrictions that have been applied to intermarriage. Under the early State laws persons less than one-fourth Negro were regarded as white for purposes of marriage and could legally marry white persons. Later only persons less than one-eighth and in which in a generation or two his "trace" eighth Negro, and still later, only persons less

The doctrine of "ascertainable trace" as a racial determinant having no standing in scientific circles, it is not hard to forecast what a scientific judgment on the proposed law would be. That being the case, the Legislature seems altogether likely to pass the amended bill and leave the consequences to take care of themselves. In Essex County where, in the absence of this law, certain white schools have been compelled to enroll pupils of less than one-sixteenth Negro blood, there is a widespread white demand for such legislation. The enactment of the law would result in reversing the racial status of a limited number of children now attending white schools, with attending distress to the pupils and parents affected, but what weight can that fact have with a Legislature dominated by the "one drop" doctrine of racial integrity? Science may ridicule such a doctrine, but the law is not made by scientists.

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In the circumstances, and solely for the purpose of regularizing the school and Indian situations, a group of eminent educators and medical men are urging the Legislature to refer the question to a commission composed of "biologists, sociologists and legislators" for inquiry and report to the Legislature of 1932. The group includes Dr. J. Shelton Horsley, Richmond surgeon; Dr. Garnett Ryland, of the University of Richmond, president of the Virginia Academy of Science; Dr. Donald W. Davis, of the College of William and Mary; Dr. R. E. Blackwell, president of Randolph-Macon College, and Dr. E. C. L. Miller, of the Medical College of Virginia. Their argument is that the problem must be approached scientifically and not by ex cathedra



Amalgamation - 1930

## VIRGINIA TAKES UP RACIAL INTEGRITY

*Times*  
Legislature Yields to Demand  
for Broader Definition of  
Term "Colored Persons."  
2-16-30

SOME INDIANS EXCEPTED  
*New York, N.Y.*  
Persons of Ascertainable Negro  
Blood Included in Scope of  
New Legislation.

By VIRGINIUS DABNEY.

Editorial Correspondence of THE NEW YORK  
TIMES.

RICHMOND, Feb. 13.—The Virginia Legislature has been considerably agitated in recent weeks over racial integrity, a problem with which it has been actively concerned since 1924, when it passed a racial integrity act, at that time the only act of its kind in the world. This measure forbids the intermarriage of Caucasians and persons having any negro blood or as much as one-sixteenth of Indian blood.

But while this law set up a barrier to the marriage of whites and persons with a single drop of negro blood, it did not change the legal definition of a "colored person." Under an act passed prior to 1924 a "colored person" was one with one-sixteenth or more of negro blood, and this definition was permitted to remain. Since the public schools of the State are divided into two groups, one for white persons and one for colored persons, it follows that under the above definition all persons with less than one-sixteenth negro blood must attend the white schools.

### Definition Altered.

The immediate cause of the recent agitation in the Virginia Legislature lies in the discovery that a large percentage of the pupils in some of the white schools are negroid, and the further discovery that nothing could be done about it, unless the existing definition of a "colored person" was altered. It was pointed out that un-Pythagoras began to extend their dominions southward into negro territories; India, where the Aryan civilization of 4,000 years ago finally went under when the races mingled, and modern Mexico and South Africa and parts of South America and the West Indies, where the union of

branches of the Legislature defining any person with any ascertainable negro blood as a "colored person." Before its passage by the Senate the measure was amended to except members of the Pamunkey and Mattaponi tribes of Indians, who would be deemed "tribal Indians" rather than colored persons, as long as they have more than one-fourth of Indian blood and less than one-sixteenth of negro blood and are domiciled on their reservations. The House passed the bill without exceptions as to the Indians, but will probably agree to the Senate amendment.

This Indian question has given the advocates of racial integrity in Virginia more trouble than any other. Dr. W. A. Plecker, State Registrar of Vital Statistics, declares that although there are some 3,000 persons in the Commonwealth claiming to be Indians, all of them have a certain amount of negro blood in their veins, and many have no Indian blood at all. On the other hand, the Indians have thousands of white friends in the State who feel that the redskins have suffered enough and that they should be left alone.

When attempts were made in 1926 and 1928 to strengthen Virginia's racial integrity law it was found that in one way or another the Indians would be adversely affected, and there was a great uproar. Similarly, the movement at the present session to change the definition of a "colored person" roused friends of the Indians, who felt that the Chickahominy and Rappahannocks, as well as various groups in Halifax, Amherst and Rockbridge Counties calling themselves Indians, should be excluded from the terms of the act, as well as the Pamunks and Mattaponis.

### See Danger to White Civilization.

John Powell, the Richmond pianist, is chiefly responsible for the enactment of the Virginia racial integrity law of 1924. Mr. Powell, Dr. Plecker and their co-workers are convinced that it is only through the passage of such legislation that white civilization can be saved from destruction. They have convinced a considerable number of prominent citizens of this and other States that their conclusion is sound. It is the conviction of this group that our civilization unless the mingling of white and negro races in this country is stopped at once.

In support of this argument, they point to other countries in which white and black races have lived side by side for centuries. They declare that in every such case in history the races have amalgamated and the white civilization has been destroyed. Examples cited by them include Egypt, which was peopled by a white race in her prime and whose decline dates from the period when the Pharaohs began to extend their dominions southward into negro territories; India, where the Aryan civilization of 4,000 years ago finally went under when the races mingled, and modern Mexico and South Africa and parts of South America and the West Indies, where the union of

white and black races has brought about similar results. On the other hand, many leading citizens are of the opinion that Mr. Powell and his followers have conjured up chimeras. They see no justification for the fear that the civilization of the United States is in danger from miscegenation, and believe that the agitation over racial integrity does much more harm than good, in that it arouses animosities between the races.

The advocates of racial integrity have procured the passage in Georgia and Alabama of racial integrity laws similar to that of Virginia, and are of the opinion that all the other Southern States and some of the Northern ones will ultimately fall in line. Eight States, in addition to the three mentioned, have laws forbidding intermarriage between whites and negroes, but it is not known how strictly they apply those laws or how they define the term "negro." Eighteen States and the District of Columbia permit free intermarriage between whites and blacks.

RICHMOND, VA.

TIMES-DISPATCH

FEB 12 1930

### A Long Fight Won

THE House passed the racial integrity bill yesterday by an overwhelming majority and the Senate's vote on the MONTAGUE substitute for the Senate measure indicates favorable action on the part of the upper branch at today's session. The Senate and House bills are not identical, for the House passed the bill as it was originally introduced, simply defining as colored all persons having an ascertainable degree of Negro blood. The Senate bill was amended in committee to exclude from its provisions certain members of the so-called Indian groups who can prove that they are less than one-sixteenth Negro, and who agree, further, to remain on their reservations and to marry only with others of the same racial and tribal classification.

If the Senate passes its bill today the great objective of this measure will be assured. The school authorities will be legally armed to maintain the color line in the public schools. Under the existing law, they are required to enroll in white schools children of mixed blood, provided the Negro admixture is less than one-sixteenth. Once the legislators had these facts before them defeat of the measure was hardly conceivable.

The Senate amendment probably will be adopted by the House when the bills go to conference, for proponents of the measure saw no grave danger in it. Both bodies are to be commended for rejecting the suggestion that this matter be turned over to a commission to investigate. Before the report of its findings could have been submitted to the General Assembly there would have been mixed public schools all over the State. If it is deemed advisable, a commission could be ap-

pointed to investigate the racial status of the so-called Indians, but old residents of the communities in which these tribes have their reservations will testify that no investigation is needed. The attempt to parade them as full-blooded red men has been a farce with many of the elements of tragedy.

Credit for the passage of this bill goes to JOHN POWELL and MAJOR ERNEST COX. Mr. POWELL has devoted years of his life to the effort to preserve the integrity of the white race. He is among the half-dozen most distinguished Virginians of his generation, a pianist and composer whose genius is recognized wherever great music is understood and loved. And he has endured many humiliations at the hands of lesser men in the course of his persistent campaign for the enactment of this legislation. It has been a hard and unpleasant job of work, for the man is unpopular who persists in reminding us of unpleasant facts. Those Virginians who feel that the maintenance of pure white public schools is a worthy thing will recognize their debt to the men who did this job for them.

## VIRGINIA'S GOVERN- OR SIGNS INTEGRITY

### BILL

*Palmetto Reader*  
Richmond, Va.—(CNS)—The racial integrity bill, which defined as colored any person in whom there is ascertainable any Negro blood, was signed last Tuesday by Governor Pollard. 3-15-30

About the time the Governor is affixing his signature to this measure, another prominent white citizen of Virginia, an editorial writer on a Richmond daily paper, is scoring this legislation as "writing into law not racial integrity, but racial prejudice."

"As it appears to the Cavalier" in the Times Dispatch, "the excellent object, of keeping pure the racial blood stream, will hardly be accomplished by prohibitions." Says Thomas Lomax Hunter, "the Cavalier."

"Ultimately, in spite of man's laws, and because of nature's laws, the American people will be an amalgam of all various races now in America. We see this in process now. That it is occurring is vouched for by the fact that we pass racial integrity laws.

"The Negro is not to blame for this fact, if there is blame. In nearly all cases of mixture of the blood the white man has been the aggressor. The amalgamation began when the Negro was a defenseless chattel.

"The Roman Empire was the great est melting pot in the world has ever we pass racial integrity laws.

seen. Modern Italians are a composite of all nations that surround the Mediterranean. There has been Negro blood in the veins of Italy since the days of Hannibal and before. Every Latin country shows the mark of this negroid strain.

"Africa has visited Europe more than once. It was late in the Christian Era when Spain freed itself of the African master.

"The Negro should want to preserve his racial integrity too. There is much in his history which he has a right to be proud of. People who profess to despise the Negro and boast of their Indian blood are ridiculous. They know nothing of history.

"But all this aside, the excellent object, of keeping pure the racial blood stream, will hardly be accomplished by prohibitions. Like other prohibitions, this will merely scratch the surface of the matter. Some poor people will be victimized, and all the hardships and futilities will occur which must occur when a law of man is set up against the law of nature.

"The law against intermarriage of the races is, in the present state of public opinion, a wise social provision. To go now and turn out of the white schools of Virginia, people of an established white status, children who know nothing of their Negro strain, is a monstrous cruelty. This is writing into law not racial integrity, but racial prejudice."

## WHITE VIRGINIAN SCORES RACIAL INTEGRITY LAW

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## The 1930 Virginia Legislature

THE 1930 General Assembly of Virginia adjourned sine die Saturday afternoon with scant accomplishments to its credit. Outside of the seafood industry legislation, the value of which is yet to be proved, there seems to have been little of a constructive nature performed by the legislature that has just expired.

Most of the measures, designed to directly benefit the masses failed of enactment. These included the free text-book bill and the small loan bill, while an amusing legislative fiasco was staged over the racial integrity fright which manages to live to bring succeeding legislatures into a well-placed ridicule.

The raising of the speed limit on State highways from 35 to 45 miles will qualify as progressive law-making, but it adds very little to the sum total of constructive and important legislation produced by the 1930 General Assembly.

While on the other hand the legislature was guilty of much display of useless wrangling, and the larger measures of the laws it enacted touch only lightly on the general welfare of the public.

The leadership of Governor Pollard survived the legislative mill unimpaired, but it cannot be said that it rose to any heights of brilliancy. So much of his program was the policies of his predecessor, that it is yet difficult to forecast what kind of independent leadership Governor Pollard will exercise as the Executive head of the State government.

The ease with which the Legislature assigned important questions to various commissions for report in 1932, instead of taking a more vigorous course by tackling them at the moment, will not inspire confidence in the courage or ability of the lawmakers. It is significant that while a number of eminent scientists and educators pleaded that the whole racial integrity question be referred to a competent commission for study and report, the legislature felt sufficiently informed and qualified on this matter to proceed to legislate on it immediately, in spite of the numerous statutes of this kind that are already a part of the State code. While the questions of election law reform, State women's college and various other controversial matters may need the light of commission study for the guidance of the lawmakers, they never need more than the mere mention of possible Nordic blood admixture to rush helter skelter in the enactment of some kind of racial integrity laws, which scarcely do more than give the impression to outsiders that Virginia is in the throes of race amalgamation, which it is not.

## PROGRESS

Charlottesville Va  
FEB 24 1930

## EDITORIAL OPINIONS

Danville Bee: The so-called Racial Integrity bill, defining a negro as any man with an ascertainable amount of negro blood, passed the House of Delegates yesterday and now goes to Governor Pollard, where it is to be hoped the measure will be effectually vetoed as writing upon the statute books of Virginia what is manifestly untrue. The measure passed in both houses doubtless on the ground that it could do little, if any, harm and in order that the lawmakers might get rid of the insistent lobby which has infested the corridors of the Capitol for the past several years.

The measure postulates the absurdity that a person with one ten-thousandth part of negro blood is a negro. The rest of the luckless victim may be white, indian or Japanese, but the law of Virginia will gravely affirm that he is a negro. It is evidently unfair to saddle upon the negro race the entire bulk of vicious mixed breeds who happen to have an infinitesimal quantity of negro blood in their veins, just as it is unfair to call a white man, an indian or a Japanese, a negro because somebody has heard that one of his ancestors way back was not a full blooded white man. That is virtually what the bill amounts to, and that is almost certainly how the Bureau of Vital Statistics is going to enforce it.

There are undoubtedly many full-blooded indians in this country who do not live on reservations and who have no intention of living on one, and the Virginia law will say that because they do not they are negroes. So far as the measure being harmless is concerned, untruth is never harmless. Yet, the General Assembly has in effect, affirmed an untruth, and Governor Pollard is asked to endorse it.

## One Drop, Again

Virginia's new law declaring every person with one drop of Negro blood a Negro isn't new at all. It represents the principle of race classification current over the whole United States.

To be sure, this policy differs from the race classification methods pursued abroad where light brown colored mixed-bloods are termed white, and the dark mixed-bloods, colored.

This accounts for the difficulties New York is having with 150,000 Porto Rican emigrants, most of whom have regarded themselves as "white" all their lives only to find out that they are "colored" in New York.

Similarly Virgin Islanders are complaining to Washington that census enumerators there are instructed to list as Negroes all persons having a discernable percentage of colored blood.

Since ninety-five per cent of all the islanders are of Negro or Negro-white origin, and thousands have never considered themselves colored, Uncle Sam has stirred up bitterness and hatred where none existed heretofore.

Thoroughly disgusted long ago with our country's racial policy, and likewise convinced of the absurdity of the one-drop theory, the AFRO-AMERICAN has no sympathy with Uncle Sam in his present difficulties.

We know, and we have pointed out, that the headache given him by Porto Rico and the Virgin Islands is but a slight attack of the vertigo the race question will give him before it is through with him.

## Va. "Racial Integrity Bill" Is Now Law; Separates Races

RICHLAND, Va., June 18.—(AP)—Since Tuesday every citizen in the state of Virginia who has "one drop of Negro blood" in his veins has been officially stamped as a member of the "colored group" and as such is subject to being segregated and to the other humiliations heaped upon Negroes in this state. This is due to the fact that the famous "Racial Integrity Bill" which was among the many passed during the 1930 session of the state legislature which became effective on that day.

This bill was introduced by Representative Ball and passed with little or no opposition. The purpose of the bill was designed primarily to correct a condition in Essex and other counties where children of admitted Negroid blood were attending white schools and it was feared that these children after completing courses in the county schools might seek admission in the institutions of higher learning conducted by the state for whites only.

To forestall this it was necessary to classify the mass "colored" because if this stamp was placed upon them it would be impossible to deny them the right to attend the colleges and universities. Certain Indians on reservations are excepted from the provisions of the bill, as long as they remain domiciled on their reservation.

Just what method will be used by the legislators to determine the a-



Amalgamation-1930

Virginia  
3

# Crack Athlete Accused Of Beating Nordic Wife

*Amir 1-1-30*  
"If You'll Let Him Out, I Think He'll Straighten Up," Says

Mate of Olympic Star.

*Hamilton, Ont.*  
**WORRIES A LOT OVER MONEY PYLE OWES HIM**

HAMILTON, ONT., Jan. 2.—The inter-racial marriage barque of Philip Granville and his pretty English wife would have hit the rocks in police court here last week, had the woman's testimony been other than a defense. As it was, Granville, accused of aggravated assault, was bound over to keep the peace.

"He's brooding and surly all the time," Mrs. Granville told the court in relating her marital relations with the internationally famous colored athlete.

"He worries a lot. In the last cross-country race he was sixth and should have gotten \$2,000. C. C. Pyle has not paid him yet and he won't go to work, because he is expecting the money every day.

"Now he wants to walk in a 500-mile snowshoe race in Quebec and is complaining because he has no money to get to it. If you will let him out, I think that he'll straighten up this time. I just want him warned. It's the third time he's beaten me," she ended.

Granville, who has gritted his teeth and lasted through many a

**ONE DROP BILL IS  
PUT BEFORE VA.  
LEGISLATURE**

*Apr. American*  
**99.9 Per Cent White  
Person Would be a  
Negro. 1/25/30**

*Baltimore.*  
**POWELL IS BACKER  
Pianist Introduced Race  
Integrity Bill.**

**RICHMOND, Va.—A new  
racial integrity bill was in-**

a colored person."

The measure was referred to the Committee on General Laws.

The 1924 race integrity bill provides as follows:

"The term 'white persons' shall apply only to those persons who have no trace, whatsoever, other than Caucasian; but persons who have one-sixteenth or less of the blood of the American Indian and have no other non-Caucasian blood shall be deemed to be white persons."

J. A. Rogers who interviewed Powell and his co-worker John Sevier Cox, in 1926 for the AFRO after they had the race integrity bill passed in 1926, declared they hide their hatred under an affable manner. Both are born agitators. If they did not hate Negroes to hate, they would hate foreigners or poor people.

They advocate sending all Negroes to Liberia as colonists.

Cox lightly joked with Rogers over his "little comedy" in the Virginia legislature which had showed that 20,000 of the leading families of Virginia had some colored blood.

Powell worked out statistics and printed them in a Richmond daily proving that "ten Presidents, two U.S. Senators, an ambassador to France, two Secretaries of War, five generals, three distinguished Dixie novelists, three governors of Virginia, a speaker of the House, two bishops, three congressmen, one rear admiral, two judges of the Virginia Superior Court and many Confederate officers had colored blood. Many of them are dead, but many, no doubt, left families."

**Keep Virginia  
Couple in Jail  
on Purity Law**

**Error In Indictment Leads  
To Action, Remanded To  
Jail For Grand Jury**

*2-8-30*  
HAMPSON, Va., Dec. 31—Emil E. Umlaur, white, former Chief of Police and his colored wife, the former Miss Annie Whitehead, were returned to the local jail this week when Judge Vernon Spratley quashed the indictment against them charging violation of the miscegenation law because of errors in the form of indictments filed. The couple was remanded to jail while new and corrected indictments were filed against them to await the action of the grand jury. The old indictments failed to

qualify the couple as residents of the state of Virginia at the time of their marriage.

**Arrest Causes Stir**

The arrest of the couple on the charges of violating the Racial Integrity Act of the Virginia State Code on November 14 caused a great stir in Phoebus and Hampton among the citizens of both races who appeared hostile to the enforcement of the law. Only two other convictions on this charge have been sustained in the state courts and it is believed that the abolition of the act is favored. The act forbids the marriage of mixed couples in Virginia, or their return to the state after marriage elsewhere. Umlaur and Miss Whitehead were married secretly in Brooklyn, N. Y. on Armistice Day.

When it became known that they were married, effort was made to persuade Umlaur to deny his wife and leave her to suffer the penalty of ostracism. This he refused to do determining to see the matter through to the end in defending his right to marry whom he chose.

**MARRIAGE BILL  
INTRODUCED BY  
SENATOR CAPPER**

**Measure Designed to  
Make Uniformity  
Thruout the U.S.**

**POWER TO STATE  
Apr. American**  
State Laws on Interma-  
riage to Stand.

*2-8-30*  
WASHINGTON. (CNS). A bill to provide uniform regulation of marriage and divorce in place of the 49 different state laws now on the statute books was introduced in the Senate last Thursday by Senator Capper (Rep.) of Kansas.

He said: "Family life is threatened by the existence of varying laws on marriage and divorce.

"A man and woman may be law-abiding citizens and their children

legitimate in a community, and then move a few miles away into another community, and the man becomes a bigamist, the woman lives in adultery, and their children under the law have no right to bear the father's name."

The bill would fix the minimum marriage age at 18 for boys and 16 for girls, by parental consent, and without such consent at 21 for boys and 18 for girls.

**Two Weeks Grace**

It provides that the application must be made two weeks before issuance of the license and application be posted publicly.

Marriage would be forbidden to the feeble-minded; those afflicted with epilepsy, insanity or communicable disease, or those within the first degree of blood relationship.

Divorce would only be granted for adultery, cruel or inhuman treatment, abandonment or failure to provide incurable insanity, or conviction of an infamous crime.

The bill proposes to give the Federal Government jurisdiction over marriages and divorces.

The bill has indorsement of many women's clubs and professional organizations.

**Intermarriage**

The validity of existing laws prohibiting intermarriage of the race is established, however by a final provision that "the enforcement of this act shall be in the courts of the several States and in conformity to the laws thereof not in conflict with the provisions of this act."

The bill was referred to the committee on the Judiciary.

**ONE DROP BILL  
CAUSES WORRY  
IN VA. SENATE**

*Apr. American*  
**Whites with Bit of Ne-  
gro Blood, Attend  
White Schools.**

*2-8-30*  
**UNIVERSITY FEARS**

**Colored People there  
Next, Says Prof.**

*Baltimore, Md.*  
RICHMOND, Va. (CNS).—A substitute for the Ball racial integrity bill which would preserve racial integrity without placing a stigma upon the Poor Indian, and without encouraging the Negroes to



"pass for white," was advocated at a hearing of the State Senate committee on general laws, here Friday by the opponents of the Ball bill which defines "a colored person" as any person in whom there is an ascertainable trace of Negro blood.

For two hours and a half the opponents and proponents marshaled an array of speakers for and against the measure. Conditions in the public schools in Essex County, where children of unquestionable Negroid ancestry are in attendance with the white children, were discussed.

#### Law Says One-Sixteenth

It was pointed out that under the present law, it is obligatory for colored with less than one-sixteenth of Negro blood to attend white schools, since they are deemed white for all purposes except for purposes of intermarriage.

Proponents of the Ball bill argued that the only way to correct this condition was to pass their bill. Otherwise, they said, it would be only a question of a few years before conditions similar to those in Essex County would spread to all parts of the State, and Negroids would be applying for admission to the institutions of higher learning.

Under the law, there would be no way to keep them out of these institutions, if they had less than one-sixteenth Negro blood.

#### 12 Mistaken for White

One public school in which the children romped and played with 12 children of remote Negro parentage twelve of whom could easily be "mistaken for white" was described as a "tragic scene." The speaker pointed out that the "mongrelization" of the schools under the present one-sixteenth law, was not only inevitable but imminent.

Dr. Richard Heath Dabney, white, head of the department of history at the University of Virginia, advocated the measure and pointed to Egypt, Portugal, India and Cuba as countries where white and Negro races have lived side by side and have ultimately mingled, to the virtual destruction of the civilization in those countries.

He said that he thought persons of Negroid extraction would certainly apply for admission to the University of Virginia and the other institutions of higher learning in the near future, unless the bill was passed, and added that there would be no means whereby they could be kept from entering those institutions, as long as they were less than one-sixteenth Negroid.

#### Nothing Can be Done

W. Leigh Carneal, white, Richmond architect, agreed with Dr. Dabney as to the effects which have followed the mingling of two races. He said he was afraid nothing could now be done to prevent the ultimate amalgamation of the white and Negro races in the United States, but everything possible ought to be done to delay the

movement.

#### Powerless

Harry M. Smith, Jr., white Richmond attorney, said the defeat of the bill would be "a dangerous blow at the white public schools," while W. G. Rennolds, white, superintendent of schools in Essex and King and Queen Counties, and J. M. Lewis, commonwealth's attorney for Essex County both said they were powerless to prevent Negroid children from attending the public schools, and asked that the legislature do something to correct this condition.

#### Unfair to Indians

Opponents of the Ball bill agreed that the preservation of the integrity of the white race is greatly to be desired, but most of them expressed the opinion that the bill should not be passed because it was unfair to the Indians and placed a "stigma upon them which they do not deserve."

#### No Penalty

One opponent of the bill pointed out that the Ball bill could not be expected to function as it placed no penalty upon violators. As it is it would simply encourage Negroid families to migrate to other communities where they are not known and "pass for white entirely." This is a worse evil than is now faced, he added. "We know what they are in their home communities and they can't get away with it now."

#### Suggests Commission

Dr. J. Shelton Horsley, Richmond surgeon, appeared in opposition to the bill, and suggested that a commission composed of biologists, sociologists and legislators be named to inquire into the whole question and report in 1932.

Appeals of the remnants of Indian tribes addressed to the "Great White Father" protesting the designation as "colored persons" were heard.

**VA. LEGISLATURE GETS ANOTHER RACE BILL**

RICHMOND, Va. (CNS)—Will Virginia adopt legislation which makes white persons with one drop of Negro blood "colored," white persons with one-sixteenth Indian blood "white"; and Negroes with one-fourth Indian blood "Indians"?

This is the situation which faces the state senate of Virginia, with the introduction of a fourth racial integrity bill in the state senate, by Senators Montague and Wickham. It amends the code to provide that "the intermarriage of American Indians and white persons is hereby prohibited."

#### One-fourth Makes Indians

Senator Montague explained that under this amendment an Indian

would be deemed to be any one with one-fourth or more Indian blood, this being the definition contained in Section 767 of the code.

#### One Drop Bill

This conflicts with the Ball bill introduced early in the session with a drop of Negro blood as a "colored" person.

**Wants Indians Labeled Colored**  
John Powell, white, Richmond pianist, and other Ball backers, contend that virtually all of the Virginia Indians have an ascertainable trace of Negro blood and hence are "colored" persons rather than Indians.

"I am in favor of the Ball bill because it would prevent Negroids from attending white schools," said Powell.

#### Baptists to Fight

The bills will all be bitterly fought at the hearings, it is understood. The executive committee of the Dover Baptist Association, white, is prepared to oppose the legal classification as Negroes of persons in whose veins flow an "ascertainable amount of Negro blood," it was announced by the Rev. Thorburn Clark, clerk of the committee.

"We are fighting to keep the Indians from being robbed of their classification as Indians," Mr. Clark said.

#### School Problem

"We are opposed to the classification of Indians as Negroes," he said. "As to the school problem, we believe in leaving that up to the local communities."

The present racial integrity bill in Virginia provides that: "The term 'white persons' shall apply only to those person who have no trace, whatsoever, other than Caucasian; but persons who have one-sixteenth or less of the blood of the American Indian and have no other non-Caucasian blood shall be deemed to be white persons."

The bill defining as "colored" any person with one drop of colored blood would make Negroes of practically all Indians and 20,000 persons now regarded as white people, in Virginia.

**SUBSTITUTE BILL BEING SOUGHT BY ITS OPPONENTS**

**Present Proposed Law Won't Work, Is Objection**

**URGING INQUIRY**  
**Scientists See No Reason For Fiat Races**

Latest developments directly or indirectly bearing on the heated fight in the Virginia General Assembly to secure another Racial Integrity Law follow:

**Journalists Guide**  
The letting down of barriers to intermarriage would probably secure the Negro's opposition to amalgamation, Mr. Otto Kleinberg, Columbia University psychologist, told an audience in New Orleans, La.

Dr. Holmes of California, speaking to the Eugenics Society of London, England, declared miscegenation is decreasing and the races growing further apart in America.

Validity of existing laws prohibiting intermarriage of races is established in proposed law introduced in Congress by Senator Capper of Kansas.

It was the plan of members of the state Senate to vote at 3 o'clock Wednesday on the Folkes Racial Integrity Bill, following another public hearing.

Opponents of the bill, at a hearing in Richmond, argued that the bill, if passed, would encourage "passing" by Negroes and "stigmatize the Indian, would not function because no penalty for violation was provided, and urged inquiry by scientific commission.

Richmond, Va.—CNS—Substitute are urged for the Ball Racial Integrity Bill which would "preserve racial integrity without placing a stigma upon the Indian and encourage the passing of Negroes for white" at a hearing before the State Senate Committee on General Laws, Friday, by opponents of the bill which defines a "colored person" as any person in whom there is ascertainable traces of Negro blood.

Opponents and proponents of the bill marshalled a distinguished array of speakers, who alternately supported and fought the bill.

Those favoring the bill pointed out that under the present law persons having Negro blood, but less than one-sixteenth of it, must attend white schools, since they are deemed white for all purposes except intermarriage. Only the passage of the bill would prevent this, they charged, pointing to the attendance of such children in schools in Essex County.

#### Circumstances Feared

Dr. Richard Heath Dabney, history professor at the University of Va., advocating the measure, said that in Egypt, Portugal, India, and Cuba the two races have ultimately mingled, "to the virtual destruction of the civilization of those countries." He feared, under present laws, the application of persons of Negro extraction applying for admission at his university, adding that there would be no way legally to

keep them out.

W. Leigh Carneal, Richmond architect, agreed with Dr. Dabney. He said nothing could prevent the ultimate amalgamation of the white and colored races in the United States, but wanted everything possible done to stem the movement, if possible.

Harry M. Smith, Jr., attorney, saw in the possible defeat of the bill "a dangerous blow" at the white public schools.

Opponents of the bill agreed, however, that the preservation of the integrity of the white race "is greatly to be desired," but most of them believed the bill should not be passed because of "undeserved stigma it would place upon the Indians."

One opponent points out that the bill could not be expected to function, since it placed no penalty upon violators, and would merely encourage passing by Negroes. This evil, he said, was worse than that now faced. "We know what they are in their home communities and they can't get away with it now."

Dr. J. Shelton Horsley appeared in opposition and urged the appointment of a scientific commission, including biologists and sociologists, to inquire into the whole question and report in 1932.

Appeals of remnants of Indian Tribes addressed to "The Great White Father" and protesting the designation as "colored persons," were heard Friday.

**Marriage Bar Forces Amalgamation**  
New Orleans, La.—ANP—"If barriers to intermarriage between whites and Negroes were let down, there is more than a possibility that the Negroes would join the whites in opposing amalgamation," Dr. Otto Kleinberg, professor of psychology at Columbia University, told an audience at a meeting of the New Orleans branch of the Universal Negro Improvement Association here.

"The standards that the white marriage set up to separate himself from the Negro have the indirect effect of creating an active Negro spirit that 'thinks black' and welcomes all attempts to keep it separate from white influence," he said.

"I don't believe we should try to make our Negroes '100 per cent. Americans,'" he added. "I believe that this so-called American melting pot is pure rubbish. The Negro should work to keep his culture alive, to maintain the thing his race stands for—he shouldn't wish to be swallowed up with the rest of us American."

Organizations working to unite Negroes were described by Dr. Kleinberg as "workings of a kind of inferiority complex."



Amalgamation - 1930

Virgin Islands  
6

## Mulattoes

*news*

THE VIRGIN ISLANDS are in a tangle over the coming census. The tangle is the result of American rule. When Denmark held the islands three races were recognized — blacks, whites and mulattoes — and race-mixing was socially recognized. The Americans, carrying their home customs into the islands, insist that there are only two races and refuse to classify the mulattoes as anything other than Negroes. The mulattoes are indignant at being so classified.

AT THIS DISTANCE it may look like a tempest in a teapot, but in the islands it is a serious matter. The mulattoes wish to be classed as white. The only group who are unworried by the situation are the blacks. Logically speaking, a mulatto should not be classed as a black man, nor as a white one. But something has to be done for social convenience; it is impracticable to label separately all the gradations of racial blending.

THIS COUNTRY'S rough classification, after all, is about the only practical one. Here anyone whose African ancestry is discernible or provable is called a Negro. This custom gives rise to many individual absurdities: many so-called Negroes are whiter than most so-called white people. It is neither logical nor accurate, but it is convenient.

*New York.*



# Block Intermarriages on the Pacific Coast

SPOKANE, Feb. 14.—A license to marry was denied Antonio Biggs and Miss Cecil Robinson, a white girl, when they made formal application for one Monday at the office of the Spokane county auditor. *2-15-30*

Mr. Biggs stated after being denied the license that he was going to marry Miss Robinson if he had to visit each county in the state of Washington for a license. There is no state law against such a uniting.

LOS ANGELES, Feb. 14.—A su-

## White Woman Refused License To Wed Negro

SPOKANE, Wash., Feb. 20.—(ANP)

Miss Cecil Robinson, a white girl, and Antonio Biggs, were denied a marriage license at the office of the Spokane county auditor. Although there is no law in Washington forbidding such a marriage, Acting County Auditor Frank Glover said the county auditor has the right to ascertain whether the mentality of applicants for marriage licenses is sound and I can but question the acts of a white woman that will marry a Negro." Biggs said it was an "outrage" and that he would be married in another city.

TIMES

FEB 23 1930

## FIGHTS MARRIAGE BAR.

Spokane Negro, Denied License to Wed White Woman' Brings Suit.

SPOKANE, Wash., Feb. 22 (AP).—Antonio Biggs, negro, said today that he was starting legal proceedings to obtain a license to marry a white woman, not so much because he wanted the wedding, but to establish rights of his race in this country.

"I am fighting for my rights as a war veteran and an American citizen in this prejudicial country," he said.

The Spokane County Auditor denied a license to Mr. Biggs and Miss Cecil Robinson, 19, on the grounds that he had a right to question sanity of any white woman who would marry a negro. Mr. Biggs retorted by obtaining an order directing the auditor to appear in Superior Court and show cause why he should not issue a license.

"I'm backed by the National Association for the Advancement of the

perior court order restrained Miss Ruby Robinson, a white girl, from marrying Tony Moreno, a native of the Philippine Islands. The court order prevented the county clerk from issuing a marriage license to the couple. *Quayle*

The restraining order was secured by the girl's mother, who contended that Filipinos were of the Mongolian race, and therefore ineligible under California law to wed members of the white race. The case will permanently be decided at a hearing on Feb. 20.

"Colored Race," said Mr. Biggs, "and in learning my own rights I will learn the rights of every other negro in the United States as well."

Deputy Prosecutor Colburn rallied to the support of Auditor, saying a State law forbade a white person to marry one with more than one-fourth negro blood. The girl's father and mother have received letters from all over the United States condemning the projected wedding, they said.



## FIGHTS FOR RIGHT TO MARRY WHITE

N. A. A. C. P. Backs Negro  
in Suit to Obtain  
Marriage License

SPOKANE, Wash., Mar. 6.—Fighting for what he terms the right of his race in this country, Antonio Biggs, backed by the N. A. A. C. P., has started a legal proceedings to obtain a license to marry Miss Cecil Robinson, 19-year-old white girl.

### Denied License

Biggs and Miss Robinson were denied a license by the Spokane County Auditor on the grounds that he had a right to question the sanity of a white woman who would marry a Negro. Biggs retorted by securing an order directing the auditor to appear in Superior Court and show cause why he should not issue a license.

### Fighting For Rights

Deputy Prosecuting Attorney Colbur stated that a state law forbade a white person to marry one with more than one-fourth Negro blood.

"I am fighting for my rights as a war veteran and an American citizen in this prejudicial country," Biggs said.